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IOHANNIS WYCLIF

TRACTATUS

DE SIMONIA.

Now first edited from the Vienna MSS. 4536, 1622, 4504, 4515, 3927, 3937, and 1343; from the Prague MS. X. E9. and the Trinity College (Dublin) MS. C. 1. 24.

BY

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AND

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LONDON.

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INTRODUCTION.

I. Preliminary.

The trite saying, *Habent sua fata libelli,* applies also, but only unfavourably to this edition of *De Simonia*, because it has been long delayed by a series of untoward circumstances; so that, since my first undertaking the work, a good many years have elapsed. I had barely done copying the manuscript text when I was called upon to begin the immediate editing of another most important work. I, however, succeeded in collating most of the manuscripts of *De Simonia*, though the work went on slowly, and with frequent interruptions; and at last the whole of the text was set up, and the proofs were corrected and properly supplied with the necessary notes, after delays which sorely tried the patience of the Founder of the Wyclif Society, Dr. Furnivall, of the printer, and of the editor himself. The most important point — and here the obstacles were hardest to overcome — was to carry out the undertaking thoroughly, in accordance with the recognized principles of what a good scholarly edition should be. When at length in spite of the numerous interruptions the most essential part of my labours had been brought to a close, when the greatest difficulties had been overcome, and nothing remained unfinished but the Introduction, the Index, and the Addenda, I was called away from Vienna to Czernowitz, thus entering a new sphere of activity which claimed the whole of my time, and left me no hope of putting the last hand to my work. Mr. M. H. Dziewicki then kindly promised to undertake what I was obliged to leave undone, and only asked me for the necessary description and classification of the manuscripts employed in the construction of the text. But when I set myself to this task, I found that another misfortune had occurred, which I had not foreseen. All the notes taken on the subject had been mislaid in consequence of my change

of abode, and the whole work, both of description and of critical examination, had to be done over again. This, however, is now accomplished; and I can bring my part in the edition to a close, entreating the public to take into account the extenuating circumstances I have mentioned, which have caused so long a delay in the publication of this book.

I here very gladly avail myself of the occasion to follow a custom which is now becoming quite general, and to mention all those who have lent me a helping hand. I wish especially to thank Dr. Furnivall, Mr. Matthew — who not only translated the side-notes, but aided me in every way, both by his advice and his active help — the officers of the Hofbibliothek, Dr. Göldlin von Tiefenau and Dr. Rudolf Beer; those of the Prague University, and Prof. Ingram, the head librarian of Trinity College, Dublin, who sent their MSS. to Vienna for me; Prof. Ingram in particular showed me much kindness. My best thanks are due to all these gentlemen.

II. The Manuscripts and their transmission.

The treatise *De Simonia* has come down to us in nine manuscripts, of which seven belong to the Imperial Library, Vienna, one to the Prague University Library, and one to Trinity College, Dublin. I have thought it best to letter them, from *a* to *i*, in the following order.

1. Cod. Vindob. 4536 *(a)*. Fully described by Dr. Buddensieg, in his Introduction to Wyclif's Polemical Works, pp. XLIV—XLVI. Also (very briefly) in the *Dialogus* by Mr. Pollard, Introduction, p. XXIV.

De Simonia extends from f. 133 to f. 191'. The *Argumentum* comes before the treatise itself. The chapters are denoted by initials in red ink, and by numbers in the margin, which also contains subdivisions of the chapters (A, B, and so on), catchwords, and numerous corrections, with marks to refer them to their place in the text. Many of the mistakes are corrected by means of erasures and marginal additions; many are left uncorrected. The handwriting belongs to the first decade of the 15th century. After the closing lines *Explicit—prelatos*, there is an index of catchwords: *Sequitur Registrum.*

Abbas nichil debet sumere vel exigere pro quocunque ornamento. I. A.

Acceptor et acceptus quomodo peccat symonia.

Accipiens stare sine &c., 5 A.

Actus vel habitus inordinatus dicitur peccatum, 2. P.

And so on. The numbers indicate the chapters; the letters, their subdivisions.

2. Cod. Vindob. 1622 *(b)*. Size $22^1/_2$ by $14^1/_2$ *cm.* 188 numbered leaves, of which several are left blank between the different tractates; at the end there are 16 blank leaves. Bound in leather-covered boards. On the inside of the first cover there is a summary of contents in two different hands, both of the XVth century, as follows:

a) Tractatus magistri Stanislai doctoris theologie de peccato et gracia. — Tractatus de symonia. — *b)* De innocentia W. sine fine. Conclusio quod Christi perfectissima est religio. Dyalogus W. — Tractatus 44 conclusionum contra monachos W. — Responsio 5 conclusionum W.

Tractatus de ordinibus clericorum. — Item verbum communiter dictum clero. Item de quatuor sectis.

On the inside of the other cover, there is: . . . (an illegible word) de peccato et gracia magistri Stanislai, de symonia, dyalogus Wykleff (Handwriting of the XVIth century). The contents are inexactly given in the Tabulae Manuscriptorum of the Hofbibliothek: ff. 65—82′ are not quite blank. Ff. 73—75 contain a fragment of Wyclif's *De Statu Innocentiæ* (*Incipit:* Ut supra dicta magis . . . *Explicit*: suppleat sic eadem natura) already noticed by Shirley in p. 7 of his catalogue (No 340 of Denis). Then follows, after *De Simonia*, the 'Conclusio' of which the table on the first cover makes mention (*Incip.:* Conclusio pura religio Christiana . . . *Expl.:* subditum perfectos religiosos etc. ff. 127′—128). The three last tracts in this volume are: *De Ordine* (ff. 180—181′), *De Demonio Meridiano* (ff. 181′—183′) and *De Sectis Monachorum* (ff. 183′—188) noticed in the Tabulae under other names, and overlooked by Shirley. The writing, which is very good and careful, and which seems — in spite of noticeable differences in certain passages — to be the work of a single copyist, belongs to the first half of the XVth century. No earlier date can be assigned to it, for we find the following words on f. 64′: "Explicit hic tractatus de peccato et gracia magistri Stanislai labore editus sacre theologie professoris a. d. 1410. et cetera." It is a beautiful MS. with coloured initials and vignettes at the beginning of the more important tractates; the parchment is very fine and white.

The margins are wide, with a few words in smaller letters written upon them here and there. Only one column to each page.

De Simonia extends from f. 83 to f. 128, with blank spaces wherever the copyist could not make out a word. The chapters have no subdivisions. The *Argumentum* is placed at the beginning; the verses 'Explicit . . . prelatis', form the conclusion. The 'Conclusio' (ff. 127' – 128) does not belong to *De Simonia*.

3. Cod. Vindob. 4504 (*c*). Described by me for Mr. Harris: See *De Benedicta Incarnatione,* Introduction, p. XII. I subjoin a fuller description of what especially concerns *De Simonia*. This tractate extends from f. 1 to f. 36. No title. A few corrections, both on the margin and in the text. The remark that *De Compositione Hominis* is *non examinatus* can by no means be taken as a proof that the other MSS. are *examinati*. *De Simonia* is also uot properly corrected. Gaps have been left unfilled in the places of illegible words, and many absurd blunders have been allowed to remain. Writing of the first decade of the XVth century. Spaces are left for initial letters to be filled in. The *Argumentum* is at the beginning of the book. No subdivisions of chapters. Instead of the lines: "Explicit – prelatos", there is "Explicit tractatus de Symonia".

4. Cod. Vindob. 4515 (*d*). Shortly described in the *Dialogus*, Introduction, p. XXIII; very fully in Buddensieg's *Polemical Works of Wyclif* pp. XLVI—XLVIII.

De Simonia (ff. 27 – 67'). No title. Several hands, all belonging to the first decades of the XVth century. Many glaring blunders in the MS. as first copied, are corrected by numerous marginal or supralinear notes; here and there the original mistake has been erased, and the correct text supplied. This of course considerably alters its value; a point to which we shall subsequently allude. There are a few catchwords. The chapters have no subdivisions, but are indicated by red initials. The *Argumentum* stands first, and the lines "Explicit", &c. are wanting.

5. Cod. Vindob. 3927 (*e*).

Described by Buddensieg, Pol. Works of W. I. Vol. XLIII.

De Simonia (ff. 53—74') has, besides the pagination that obtains all through the work, a special pagination of its own. Each of the two pages which face each other in the open book bear the same number, and the four columns making up the two pages are lettered *a, b, c* and *d*

respectively.[1] Two hands have worked at this as on the foregoing tractate; no doubt the same ones. The first is from f. 53 to f. 60′; the second, from 61 to 75′: both belong to the first decades of the XVth century. With the exception of the first letter in the tractate, no initials are filled up. There are many marginal corrections, also catchwords; some of the gaps are not filled in, others have been filled in at a later date with a different ink. A note, "Gertrudis virginis", at the end of Ch. III, shows probably that the copyist had reached this point of his work on the 17th March, St. Gertrude's day. The *Argumentum* is at the beginning of the book; the final verse, "Explicit," &c. is wanting. After "semper regnat", come the words "B. de Symonia", and an index of catchwords which differs from that in *a* and *g*. A few specimens will suffice.

Utrum liceat curiam Romanam adire pro beneficiis, c. 5. C.

Quare clericis legis civiles et phisice sunt prohibite, d. 9.

De corpore Christi, c. 13 . . .

And so on. The numbers refer to the separate pagination; the letters, to the columns.

6. Cod. Vindob. 3937 (*f*). Size, 29 cm by 21. Paper. 186 leaves, many of them blank, but numbered from first to last by a modern hand. On the cover and fly-leaf the words "Dono habui" are written in a hand of the XVIth century. Inside the cover is an index of contents, in XVth century handwriting. The MS. is a collection of tracts by Hus, Richard Fitzralph and others, noticed at some length in the Tabulae Manuscriptorum: nothing of Wyclif is here, except *De Simonia*, from f. 115 to f. 137′. The writing belongs to the first years of the XVth century; each page is in two columns, with here and there a catchword and explanatory notes on the margin; the word *Nota* occurs frequently. There is no lettered subdivision of the chapters, but the paragraphs are denoted by the sign ¶ in red ink. The copy is very incorrect, and full of mistakes, which quite destroy the sense, and show that the scribe did not understand what he was writing. After the final verses "Explicit" &c. there follows: "Amen dicant"; and then, in a different ink: "Finitus est iste tractatus anno 1401."

[1] This confirms what is known from other MSS. that the original 'folio' was the open double page folded in the middle. The word was afterwards used for a leaf. *(Note by Dr. F. J. Furnivall.)*

7. Cod. Prag. X. E9. (*g*). Fully described by Dr. Buddensieg, Pol. Works of W., Introduction, pp. L, LII.

De Simonia (ff. 69—131′) is written in a slovenly hand, belonging to the first decade of the XV^th^ century, and the same as in the tractate immediately before it, "*De Officio Pastorali*", as far as f. 121, where the writing abruptly becomes smaller and much more cramped until the end, and is apparently the work of another hand. The few corrections to be found in the text are for the most part in two hands; one large and bold, the other smaller and more delicate. Red catchwords on the margin are numerous at first, but are afterwards to be met with only on separate pages. The *Argumentum*, placed at the beginning of the treatise, and also the text of the work itself, are adorned with tasteless initials; but those which begin the chapters, in red and blue ink, are in somewhat less bad taste. The subdivisions of the chapters are indicated by marginal letters. At the end (ff. 126—131′) there is an alphabetical index of catchwords, with the title "Registrum super De Symonia".

Abbas non debet sumere vel exigere precium pro quocunque ornamento, 1° cap°, a.

Actus vel habitus inordinatus dicitur peccatum, 2° cap°, p.

And so on, giving all the words that begin with A, B . . . &c.

8. Cod. Dubl. (Trinity College) C. 1, 24 (*h*). Described in *De Apostasia* by Mr. Dziewicki.[1] The Argumentum to *De Simonia* is wanting.

9. Cod. Vindob. 1343 (*i*). Described in *De Apostasia*, p. IV.

De Simonia (ff. 1—36′). Over the beginning of the text, there are the following words in red ink: "Incipit de Symonia et est liber X in ordine summe sue." The MS. of the first decade of the XV^th^ century, though not quite so elegantly adorned as *b*, is evidently the work of a careful penman. The subdivisions of the chapters are indicated by letters of the alphabet. Many corrections in the margin; also at the top and bottom of the pages, which have each two columns. There are also catchwords, which fully indicate the contents. Instead of preceding the text, the Argumentum comes *after* the closing lines, "Explicit," &c.

[1] I wished to have a copy of the first two pages, on account of the spelling of which I make mention further; but as that could not be procured, the first page was photographed instead.

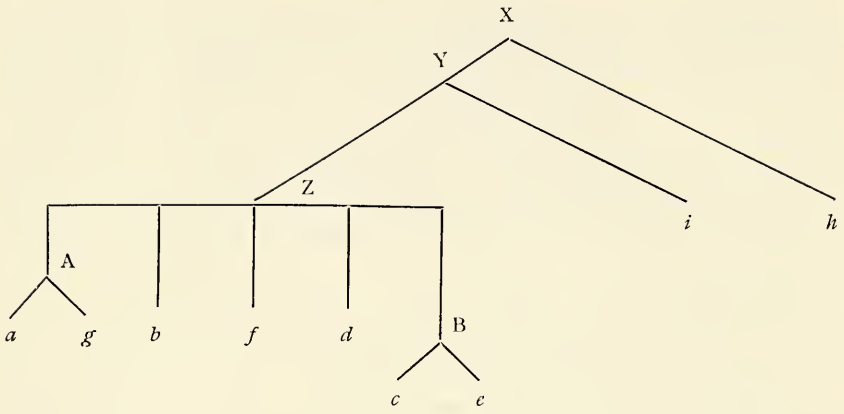
The investigation of the comparative value of these nine MSS. is attended with no slight difficulty. Some of them — I allude especially to *f* and *g* — must have copied into the text the marginal notes and various readings which existed as such in their originals; a circumstance which detracts from the purity of their genetic connection, and renders it hard to come to a decision as to their origin. Others, especially *a* and *d*, are full of corrections which totally change their value, and so much alter their value that we must ascribe one source to the corrected, and another to the unaltered texts. We should also remember that the originals (which we no longer possess) were written in the highly abbreviated style of the XIVth and XVth centuries, in which a single characteristic letter, or other sign, is often made to do duty for a whole word. Evidently, a scribe ignorant of the sense of what he was copying would be very likely rather to guess at the word than to read it; this was very often the case. On this account, we find MSS. that are very nearly related — such, for instance, as *c* and *e*, *a* and *g*, differing a good deal at times in their respective readings, whilst agreeing with others which are much more remotely related. Nevertheless, and taking all this into consideration, I think I may point to certain fixed and definite conclusions.

It seems in the first place evident that the common source (X) from which all our MSS. have been copied, is not the first copy of all, but a text which is in certain places so corrupt as to be quite unintelligible (see notes to pp. 27, l. 1—5, and 60, l. 18), whose mistakes have been repeated in all the nine MSS. and can be corrected only by conjecture.

The MSS. may be divided into two classes, from the standpoint of their agreement with each other and with their common source: the Dublin MS. *(h)* is on one side, and the rest are on the other. This classification is based on the critical foot-notes that show how often *h* gives readings that differ from all the others; readings that produce not an arbitrary and accidental difference, but a considerable modification of the text. Thus, *a b c d e f g i* must have been copied from a single manuscript which we may call Y, and which stands to the original X in the same relation as *h*. Again, in the Y group, *i* stands apart, having several distinctive peculiarities — one of which is, for instance, that the *Argumentum* is placed at the end — and agreeing with *h* much oftener than any other of its group; so that it may be considered as a con-

necting link between them and *h*. The readings of *a b c d e f g* very often agree in contradicting *h* and *i*, and there can be no doubt that these seven MSS. were copied from the very same source. There are many proofs of this; but it will suffice here to select one of the most striking, on p. 81, l. 24, 25. The words from *fructum* to *ministerio* are absent from *a b c e f g*, and have been supplied by another hand in *d*. This agreement is certainly not accidental, and can be accounted for only by the supposition of a common source. This original (Z), therefore, stands in the same sisterly relation to *i* as Y to the source of *h*.

But *a b c d e f g* do not all proceed from Z in the same way. I think that only *b*, *d* (before correction) and *f* were copied directly from Z; and even for these, the hypothesis of intermediate copies might be allowed, on account of a nearer relationship between *b* and *f*, and a closer agreement of *d* with *h* and *i*. At all events the resemblance between *c* and *e* on the one hand, and *a* (before correction) and *g* on the other, is strikingly close, and extends even to the spelling. This follows from the variants in the foot-notes, and would appear with still greater evidence, were it not for the difficulties mentioned at the outset. These prevented, not only a careful selection of the variants of *c* and *e* (partly, too, of *f*), but also a proper correction of the proof-sheets. The relationship of *a* with *g* may also be demonstrated by a proof extrinsic to the text: the index of catchwords, which (as I have carefully ascertained) belongs to these MSS. alone. A close examination has shown me the impossibility of *a* and *c* being copied from *g* and *e;* or *vice versa*. We can only frame a third hypothesis, viz., that *a* and *g* are copies of another MS. (A) and that *c* and *e* proceed again from another (B). So that A and B, which have not come down to us, stand in the same relation to Z as *b*, *d*, and *f*. The transmission of the nine MSS. may, therefore, be set forth in the following diagram:



Subsequently, however, the value of *d* was modified by a thorough correction with a manuscript closely related to *h*, so that the text becomes almost identical with that of the latter MS. The corrections of *a*, which are perhaps based on an *i* text, are much less important, and do not alter its features to any great extent. Of course, these subsequent modifications do not change the original relations of the MSS. to each other.

The best text is supplied by *h*. This is seen, not indeed at first sight, but after attentively comparing it with the others; both its pedigree and the similarity of the corrections in *d* tend to confirm this decision. It generally gives the best sense of all of them: in most of the places where it seriously differs from the others, its readings are usually found preferable. However, to construct a text, we are obliged to avail ourselves both of *i* and of the Z group. In doubtful cases and in the case of indifferent variations, so far as I have noted them, I have kept to the readings of *h*. It may often be wrong, I admit; but the principle of following in such cases the MS. which is the best in the main, is the only means we have of preserving the text from being formed by the editor's own arbitrary choice. I ought even to have followed the spelling of *h*; but circumstances rendered that impossible. When in Vienna, I was indeed able (by Prof. Ingram's courtesy) to collate the Dublin MS. with my copy; but I was not certain that it was the best until long after I had returned it. In my collation, I had overlooked the spelling, and should have

been obliged to ask for the MS. once more, this time on my own responsibility; for the late Director of the Imperial Library, Vienna, did not seem inclined to allow it to be sent there again. This rendered it impossible for me to do as I intended; and I have been obliged to follow the spelling of *i*, the second best MS. But it matters very little; the copyists, as is well known, did not follow their originals in that, but spelt as they chose. The modern spelling of Latin might have been adopted just as well; but that would have destroyed the mediaeval character of the work.[1]

Czernowitz, Nov. 1895.

III. Authenticity and Date of *De Simonia.*

Concerning the authenticity of this work, there is little or nothing to be said. No one acquainted with Wyclif's opinions, his methods of argumentation, and his style, would for an instant hesitate to ascribe *De Simonia* to him. He himself in his later works (for instance, in *De Apostasia*, p. 90) refers to it without naming the author, according to his custom when quoting tractates of his own. It forms a distinct part of his great *Summa Theologiae*, and as such, has an authenticity equal to any other of those parts. We may besides add that it is named in all lists of his works, as a part of his *Summa*; to which the note in *i* also bears witness: "Incipit De Symonia, et est liber X in ordine summe sue."

For a very different reason, we can say but little about the exact date of this work. In the astonishing outpour of the last years of our author's life, it is very difficult to fix a precisely accurate date for any of his works, unless he happens to mention some event which was taking place whilst he wrote, and which is besides sufficiently known to history. Now there is no such mention in *De Simonia*. On the other hand, we are able to get a sufficient degree of approximation to the date. *De Blasphemia*, as stated in the Introduction to that work, seems to have been written in 1381, or at the beginning of 1382, when the Peasants' Revolt was quite recent. *De Apostasia* certainly precedes *De Blasphemia;* and *De Simonia* comes just before. We may then with some probability place the last treatise at the beginning of 1380 or towards the end of 1379, and immediately after *De Eucharistia*, which it quotes.

[1] Dr. Herzberg-Fränkel's part of the Introduction ends here. Mr. Dziewicki is responsible for what follows.

It certainly comes after September 20, 1378 (the date of the election of the Antipope Clement VII), for it alludes to the court of Avignon as being a nest of simony (p. 9). But the fact is that, until all the works of Wyclif are edited, and their texts carefully studied — a labour which of course belongs to the future — it is impossible to do more than arrive at a conjectural conclusion as to the exact date of most of Wyclif's works. The editors of Wyclif have to cope with too many and more pressing difficulties, and cannot go into a close examination of words and expressions which, with the aid of a perfect knowledge of the annals of that time, might possibly enable them to give an exact date; though even this is doubtful. At any rate, it would be the labour of a lifetime; and future antiquarians will, no doubt, excuse us if we leave something for them to do, whilst our present editions will immeasurably lighten their labours.

IV. Contents of *De Simonia.*

In this short treatise, Wyclif seems less addicted to digression than is his wont. He generally keeps strictly to his point; and the division of the treatise is clear enough. Simony is committed by the Pope, the Bishops, the endowed Orders, and the temporal Lords. After a general definition of simony, and answers to objections (pp. 1—27) Wyclif attacks the Pope (pp. 27—70), the Bishops (pp. 70—84) and the endowed Orders (pp. 84—98), and warns the temporal Lords (pp. 98 to end). The only real digressions from the main subject — and they are very short — are on pp. 39 and 69, in which Wyclif inveighs against the doctrine, then generally received, of absolute accidents in the Eucharist. It may be as well to examine this point apart, before going into a detailed summary of Wyclif's doctrines as regards simony; the more so, as I am thereby enabled to supplement some of my remarks on the same subject in *De Apostasia.*

Christ having, at the Last Supper, said of the sacramental bread and wine 'This is My Body, this is My *Blood*,' whilst no outward change of the bread or the wine took place, the question naturally, and from the very first, arose in every thinking mind: In what sense are those words true, as true they must certainly be? From an examination of other passages, especially the well-known words of St. Paul in his Epistle to the Corinthians, it became a universal doctrine both in the

Church of Rome and in the Greek Church, not to speak of other communities separated from them by still wider differences, that it is impossible to explain the words by a metaphor, and that Christ's Body and Blood are really present in the Eucharist. Such being the fact, I think it may be interesting to enquire 1) Whether the doctrine of Transubstantiation was anything more than a denial of any explanation tending to deny the reality of Christ's presence in the Sacrament; 2) Whether Wyclif went farther than denying the doctrine of 'accidens sine subjecto', upheld by the Schoolmen of his day; and 3) How far his explanation of Christ's real presence was unjustly, and how far justly, condemned by the Church *from its own point of view.*

1. What is Reality, in the ordinary sense of the term? What is the difference between a real orange and a painted one, or a wax orange, or the result of mere hallucination? Evidently a painted orange, however well painted, only deceives the sight, answering only to one of the tests of reality. An artificial orange may deceive the touch too, and if suitably perfumed, the sense of smell; but the sense of taste will soon convince us that the object we see, touch and smell is not real — as an orange. But suppose we are so hallucinated in all our senses, as to see, feel, smell and taste an imaginary orange; either we should find that the hallucination did not last long, or if it did, we should no longer be in a state to reason about it. It is, therefore, the answer to all the sensible tests of reality, given in a permanent and coherent manner, that constitutes sensible reality as we conceive it: it is upon the objective value of these tests, taken together, that all natural science is founded. And in this sense no Roman Catholic can deny — or at least, the doctrine of Transubstantiation does not deny — that the Eucharistic bread really remains after consecration, and that Christ's Body is *not really* present. Every possible test of the sensible reality of bread is answered without the slightest ambiguity. St. Thomas, I need not say, admits this in his 'Summa Theologica'; he asserts that the elements nourish, and that the sacramental wine, if taken in excess, would intoxicate: which is merely a doctrine of common sense. *Nothing* of the reality, so far as the senses go, is changed by the sacramental words.

But then, how can this bread *be* Christ's Body really, if it is really only bread? Bearing in mind the hypothesis which excludes a mere empty metaphor, there is but one answer. We must believe in another sort of

reality, revealed to us by Christ's words; a reality that has nothing to do with the senses; a reality that can coëxist together with and independently of, those phenomena which we perceive; a reality no less true than they are true, no less real than they are real. If we can say after consecration, 'This is bread', we only mean what we outwardly perceive. If we can say, 'This is Christ's Body', we mean what we do not perceive, and what we know by faith alone; but we know that one is as truly present as the other. Therein lies the mystery. Transubstantiation, as defined by the Council of Trent, does not (unless I greatly mistake) pretend either to solve or to explain it. It is a mere assertion that in the Host there is nothing present but Christ's real Body, and real phenomena which are not Christ's Body. It does not assert that anything of the bread is annihilated; and this is very important. St. Thomas expressly says the contrary; he says that the bread becomes *(transit in)* Christ's Body; not by transformation, for then there would be an external and sensible change, which there is not. And yet there is an 'otherness', as modern philosophers would say. This 'otherness', which supervenes without in the least affecting any of the properties of the thing that was, is the Real Presence; and what takes place is called, for want of a better term, Transubstantiation. Such is the doctrine of the Church of Rome, which leaves the mystery just as it was before. It condemns those who say that Christ is present, not really, but in figure, because that would be against Scripture. It condemns (or at least, I think, disapproves) those who assume that the bread is annihilated, and that God creates a fantastic appearance, a permanent hallucination; for this would attack the evidence of our senses. It condemns those who say that the bread, remaining mere bread, becomes Christ's Body (consubstantiation), for this would be tantamount to saying that a man, remaining a pauper, becomes a millionnaire. In short, it condemns all those who either assail the sensible reality causing our percepts, and the non-sensible reality of what faith affirms to be present. And I wish especially to call attention to the fact that the Council of Trent, in its declaration on the subject, nowhere decides that the accidents remain without a subject; it merely asserts that all the appearances and properties — which coïncide with what I have called sensible reality — remain unchanged: and yet, in a certain mysterious sense, it is no longer bread, since it has become the Body of our Lord.

St. Thomas indeed, with the whole School, goes farther, and admits the theory of an 'accidens sine subjecto'. But this is an attempt at explaining the mystery (not indeed a very successful attempt); it may be wrong. Wyclif calls it a heresy; the Church says nothing; but neither does it make that theory a dogma. I have gone into this at some length, because I have read that Pusey, with remarkable insight into the matter, gave it as his opinion, that the difference between Anglican theologians who admit the Real Presence, and Roman Catholics who use the term Transubstantiation, is probably a mere question of words. And in fact, Transubstantiation is merely the Real Presence, defined in such a manner as to exclude all explanations inconsistent therewith.

2. What struck Wyclif as intolerable in the explanation given by the School, was their theory of the annihilation of the bread; which, as we have already remarked, is not the exact doctrine of St. Thomas, though it seems a logical outcome of his system. If I understand him rightly, the 'substance' of bread is neither where its appearances are, nor anywhere else, because, this substance having become Christ's Body, it is no longer bread in the other mysterious sense of reality to which I have already referred; but it is not annihilated. In like manner, when the elements undergo a chemical change, *v. g.* when the sacramental wine becomes vinegar, Christ's Body is there no longer, because the sensible reality (or appearance) of wine is there no more; but Aquinas denies that any new substance is created by God to take the place of Christ's Body which becomes absent. He asserts that the new nature of real vinegar proceeds from the change in the appearances, in what we call sensible reality; — though as, in his doctrine, this reality is a mere 'accidens sine subjecto', he frankly admits that it is difficult to see how they can produce a 'subjectum'. "Quomodo autem ex eis aliquid generari possit, difficile est videre. (III[a] Pars, qu. LXXVII, art 5.: Respondeo . . .) But the Nominalists of the following century set St. Thomas' cautious doctrine aside, and by their multiplied and arbitrary annihilations and re-creations, called forth Wyclif's indignant protest. The fact is, as we shall see in our author's philosophical works, that his whole system falls to the ground if we admit the possibility of annihilation, and as, St. Thomas himself says, we can hardly escape admitting it as a fact, with the doctrine of 'accidens sine subjecto'.

It is a pity that Wyclif could not avoid looking for an explanation where there was none to be given. But the excesses of his adversaries urged him onward, and he found a reply to them in his system. *What we see, is bread*, he asserted. That is a fact, so far as the remaining of the sensible reality is meant. But he went on to assert that the whole nature of bread remained, transubstantiated (as he understands it) by the fact that it becomes the figure of Christ's Body, Now, as I observed in the Introduction to *De Apostasia*, every figure is a reality, according to Wyclif. It has its own truth, its own real, though at the same time ideal, existence. Thus the bread is not purely what it was before consecration. Permeated by the reality of Christ's figurative presence, it becomes and *is* the body of our Lord. This explains all; this does away with every mystery, and with the odious doctrine of annihilation, which the 'Sign-Doctors' were driven to admit. Here, however, we see that Wyclif goes beyond the mere doctrine of Transubstantiation. Believing, as he did, in the objective reality of Universals, he no doubt believed in the Real Presence; but, driven (perhaps sorely against his will) to explain how this presence was real, he made a dogma of the Church subservient to the understanding of, and the belief in, his own philosophical system.

3. Now, if the world had been made up of theologians and philosophers, it is quite possible that our author's opinion would not have been condemned. When his judges found out that he granted the existence of Christ in the Host as a real Universal; when they learned that, speaking of 'natural bread', he meant the same as those who talked of an 'accidens sine subjecto', they might have shrugged their shoulders at his philosophical system, but would perhaps have left his orthodoxy unquestioned. Unfortunately for Wyclif, the world does not contain only philosophers and theologians. His doctrine was spread far and wide amongst the common people, and probably few, even of his 'poor priests', understood it well. The vulgar thought they knew perfectly well what 'natural bread' signified; and also that it was the figure of Christ, the Bread of Life; but, when they heard that Christ was really present, because every figure was a universal, and every universal had real existence, they stopped short there. They were no more able to understand him than the average man of our days is able to understand what is meant by a fourth dimension of space, or the curvature of a straight line.

There were thus two parts in Wyclif's doctrine; one seemingly quite clear, the other all but unintelligible: and the results may be guessed. I happen to have by me a curious instance, which may throw some light upon the subject. "Lawrence de Saintmartin," says Berault-Belcastel (Histoire de l'Eglise, livre XLVI, p. 121) "having received communion at Eastertide, took the Host out of his mouth; and notwithstanding the remonstrances of the priest, who followed him for some distance, he carried it home in his hand. He then mixed it with other food, and ate it, saying that it was no more worthy of respect than any other bread." This was in 1387.

Such a profanation would certainly have horrified Wyclif, who in many and many a passage declares his belief — not feigned, not forced from him by the fear of condemnation, but proceeding from hearty philosophical conviction — that the Host, though naturally bread, is really Christ's Body. I quote only one, from *De Apostasia*, p. 243; but it is amply sufficient. "Nos autem usque ad mortem . . . volumus . . . ex fide defendere . . . quod panis et vinum . . . sit naturaliter ante consecracionem panis et vinum, sed post consecracionem *corpus dignissimum*, quia vere et realiter corpus Christi." At the same time, it is quite conceivable that Lawrence de Saintmartin would have been much astonished at Wyclif's horror.

As a rule, when the Church of Rome condemns any proposition, it condemns it in the ordinary and usual sense of the words, caring little enough whether the author meant something orthodox in his own mind, but very much whether the effect produced amongst those whom his doctrines reach is in favour of orthodoxy. Now orthodoxy, according to the Church of Rome, is the truth, to which even the poorest have a right. And therefore, answering the question propounded as to the justice or injustice of Wyclif's condemnation, we may say that (of course from the above standpoint) it may perhaps, from a theological point of view, have been unjust towards him, but that it was an act of justice towards others who were sure to misunderstand *him*. It is even possible that his judges mistook his meaning; which, if true, would have been an additional proof that it was easily misunderstood.

Rome is in practice very far from condemning all propositions which may be erroneous or true in themselves, and of which the obvious and popular meaning is simply erroneous. Should any one,

for instance, attempt to prove that Christ was born ten years before or after A. D. 1, this would certainly be left to be dealt with by chronologists and historians, because, even if false, even if generally believed, it would have no effect whatever upon the minds of Catholics. And in almost every condemnation we find an epithet specifying that effect: temerarious, dangerous, scandalous, and lastly heretical. Now, Wyclif's theory of the Eucharist certainly tended (though no doubt nothing was further from his intention) to destroy the belief in Christ's Real Presence — a dogma of the Church. Those who, like Gallio, 'care for none of these things', or who are convinced that both Wyclif and the Church of Rome were in error in affirming that dogma, will of course consider his condemnation unjustifiable from any point of view.

Perhaps I ought here to apologize for having discussed at such great length a matter so abstruse, so often dealt with elsewhere, and forming so very small a part of the treatise under consideration. My only excuse is, that I was anxious to set before the public certain thoughts which occured to me after I had written the Introductions to *De Apostasia* and *De Blasphemia*, and which I shall probably never have an opportunity to publish anywhere else.

We may now proceed to examine *De Simonia* itself, chapter by chapter.

Chapter I. Simony is a sin against the Holy Ghost, as apostasy is a sin against the Father, and blasphemy, against the Son. This being the unpardonable sin, it behoves the Church to guard against it with extreme care. It is an inordinate will or desire *(volicio)* to exchange spiritual for temporal things. This will, if not inordinate, is not a sin. We may sell ourselves to God for life everlasting; and God sells grace to us, if we give ourselves to Him. But, in a general sense, every sin, being an inordinate act of the will, a preference of temporal pleasure to eternal happiness, is a selling of the soul to the devil, and is therefore simony. In a more restricted signification, it means an unlawful contract to obtain some spiritual office. Any contract of the sort is called, in theological language, a gift *(munus)*. If what is promised, is money, it is *munus a manu;* if services to be rendered, *munus ab obsequio*; if influence, *munus a lingua.* Almost all the clergy are infected with this heresy, and those highest placed are the worst. Christ turned those who sold doves out of the temple; the Church is the mystic dove, and its selling

is simony. Secular lords ought to put this down, according to Chrysostom and Pope Pelagius. We should not wait for a Papal edict to fulfil our duty; the Pope may himself be a simoniac. All illicit means of obtaining benefices — whether petitions, services rendered, letters of recommendation from temporal lords, or the employment of a third person to plead in their favour — render those who get the benefices, simoniacs and heretics. Yet these men, thus tainted with heresy, dare to persecute the faithful! (pp. 1—6.)

Besides these persons, there are others who fall into the same heresy, though indirectly: Friars, by holding their peace and not protesting against it; and Rulers who take it under their protection. It is our duty to speak out; our silence will not excuse us, any more than ignorance will excuse the secular lords. We should speak, they should act. If not, both we and they are damned for tacitly consenting to sin. Let us do our duty, as we value eternal bliss. If we desire the realm to be at peace, let us purify it from those bad priests who destroy all good therein. There is also the temporal advantage to be considered. Princes have the right to confiscate all the unjustly acquired possessions of these heretics, and to cause things to return to their first state, as they were in the primitive Church of Christ. If the right acquired by conquest is valid, how much more so would such confiscation be! (pp. 6 – 8.)

But is impossible to extinguish simony, so long as its baneful root — i. e. endowment — is allowed to exist. The Church was mighty, whilst unendowed; with endowment, all things changed; the clergy, from Christian, became 'Cesarean' and worldly, and new laws were made to extort money from the faithful. This simony is rightly called spiritual sodomy, and because spiritual, is a yet more heinous crime. Its source is Avignon. Some think that if the secular arm destroys that nest of wickedness, the Church will return to its pristine purity; but Wyclif fears that the evil, like Gehazi's leprosy, will cling to it for ever; one source being stopped up, another will spring forth (pp. 8—9).

So long as they last, we may safely predict that wars and fightings amongst nations will never cease. War reigns every where, not only in the secular sphere, but also amongst friars and monks, and in the Universities; poor scholars are forced to pay large sums, and there is acception of persons in private colleges. All these things cause discord and dissensions. Woe to the nation, the province or the man, that tries

to introduce or defend simony! "Peace on earth, good-will to men" implies that men should have good-will to Christ; and Christ hates simony, as is proved by His conduct in the temple. Besides, simoniacs, worse than Iscariot, sell Him again and again, not for the salvation of the world, but for the damnation of their own souls; and they devour Christ most foully by this their crime (pp. 9—12).

No sin is more directly opposed to God's law: "Freely ye have received, freely give," says Christ. Christ is the mystic Door, which is closed against simony, and which it strives to break down; thieves and robbers enter by stealth, Christ tolerating for the present that which He will most severely punish one day, and most justly too: for simoniacs sacrifice the true God to their idol, money, and commit sacrilege in His very presence, which the devils themselves would fear to do. All this springs from the blindness of our rulers, who tolerate such things. (pp. 12—14).

In *Chapter II*, Wyclif refutes objections against his definition and theory of simony: *1rst Objection*. It differs from that given in the Decretals, and approved by St. Thomas. 2nd. It denies even to one who is fit, the right to ask for promotion, and creates difficulties as to how far a man is bound to give up a benefice wrongly obtained, and whether we may or may not go to Rome for benefices. 3rd. It is an act, not a volition; a heresy, which a mere act of the will cannot be; and besides, being an act, it is positive, whilst sin is a mere privation. Wyclif defends his position in scholastic form, first pointing out verbal defects in the Decretal's "studiosa voluntas emendi vel vendendi aliquid spirituale vel spirituali annexum". His own definition is preserved from being too wide, by the word 'inordinata'. In a sense, every dealer who buys or sells anything fraudulently may be called a simoniac. The Apostles received temporal aid, but only according to their needs. By this rule, if a priest takes more than he really wants, or accepts a living for which he is not fit, he commits simony. Such men are not even priests. A man in mortal sin sins mortally in whatever he does; and a simoniacal priest brings a curse both on himself and on all those who communicate with him. How then can he sanctify others? Accurst himself, how can he bless? God curses his blessings. — If we know a man to be fit for a benefice, we may labour to have him promoted, for then our desire is not inordinate; but it is unlawful to thrust oneself into office. If we have

simoniacally obtained any benefice, we are bound to do penance for the past, and strive in the present and for the future to make amends, leaving the superfluity of our income to the poor; if unfit for the office, we must resign it. We may desire the work of a bishop, but not his dignity, nor any sinecures or pluralities; nor may we go to Rome to get benefices. — As for simony being an act, not a desire, it is either one or both, according to the School; the main point is the inordination of the will. And as this will implies wrongmindedness, simony is heresy by implication; and it becomes explicitly so, when an unlawful bargain is defended. The chapter closes with observations on the difficulty of putting down simony (pp. 14—27).

This is perhaps one of the most important chapters in the whole work; for, by Wyclif's answer to the objections propounded, we clearly see how and in what his definition differs from the usual one given by theologians. And as it is interesting to learn what the regular doctrine is, I may here give a short abstract of it, following St. Thomas (Sum. Th. 2^a 2^{ae}, qu. 100) as the most trustworthy of Roman Catholic divines. We shall see that both Aquinas and Wyclif agree as to the heinous character of the sin dealt with, and the absolute necessity of putting it down, even by the strongest measures. But, when it comes to the question: What is simony? Wyclif, by the force of his definition, goes a great deal farther than Aquinas or than the Decretals; yet he quotes them all along as if they applied to simony understood in his sense, not in theirs. As his definition overlaps the other, it very frequently happens that his application is right, but not always. By the by, it is curious to note with what evident respect he sets aside the opinion of that Holy Doctor (a sancto doctore, p. 14). Possibly it is because, like himself, though not to the same extent, St. Thomas was a Realist; for Wyclif was a philosopher above all, and his whole theological system is but the logical outcome of his philosophy. But, as a fact, St. Thomas is very often in most decided opposition to him: for instance, as to Wyclif's doctrine that a bad priest is a priest no longer. St. Thomas decides that an immoral and heretical priest, even after degradation, has the power of saying Mass (pars III^a, qu. LXXXII); that wicked priests, if they possess proper jurisdiction, can give absolutions that are valid, and that schismatics and heretics only fail to do so, because deprived of that jurisdiction (qu XIX, Suppl. Sum. Th.). And here I am tempted, by the

way, to note down what I have long believed to be true; viz., that Wyclif, for some reason or other, never made a deep study of the works of St. Thomas. He very seldom alludes to him, at least by name, either in his theological or in his philosophical treatises; when he does, it is always (as on the present occasion) with much respect, but with no evidence that he was well acquainted with the doctrine and the arguments of that famous Doctor. To any one who knows the unique position held by St. Thomas amongst the Doctors of the Church, both in the Middle Ages, and even down to the present day, this will seem more than strange; it is unaccountable. I do not see how it was possible for such a man either to know little of St. Thomas, or knowing much, to refrain from quoting him when in agreement, or from refuting his arguments when in opposition to his own.

Simony, according to the 'Angelic Doctor', is the deliberate will to sell or buy anything spiritual or connected with spiritual things. It is called a heresy, because the act implies that such purchase or sale is allowed. It is forbidden, for the reason that none may sell what they do not really possess as their own: and God's grace is the property of God; men are only its channels. Priests have not even the right (of their own will) to exchange benefices with one another. As the Pope is merely the distributor of Divine grace, not its owner, *it follows that he can incur simony.* In view of what comes in the following chapters, I transcribe the whole of this important passage, which I cannot conceive that Wyclif would have left unquoted, if he had known it. "Papa potest incurrere vitium simoniae, sicut et quilibet alius homo: peccatum enim tanto in aliqua persona est gravius, quanto majorem obtinet locum. Quamvis enim res Ecclesiae sint ejus, ut principalis dispensatoris, non tamen sunt ejus, ut domini et possessoris. Et ideo, si reciperet pro aliqua re spirituali pecuniam de redditibus ecclesiae alicujus, non careret vitio simoniae. Et similiter etiam posset simoniam committere recipiendo pecuniam ab aliquo laico, non de bonis Ecclesiae" ($2^a\ 2^{ae}$, qu. C. art. 1. Ad 7^m). — It is not allowed to receive any money (or payment of any sort) for the administration of the Sacraments, i. e. for the spiritual grace which they confer; but only for the bodily sustentation of the ministers of grace, and as a remuneration for their trouble. Rather than give money for the grace conferred by Baptism, for instance, a man ought to die without baptism, trusting to God's grace, and desiring to

receive that sacrament. Money may be given for Masses, but merely that the priest may have food to eat. Fines imposed as penance at absolution from excommunication should be regarded as mere punishments, and in no wise as the price of absolution. Custom is here of no value against Divine law; if money is given *for* the consecration of a bishop, *for* an abbot's instalment, &c., it is simony. If only *at* such ceremonies, as a customary fee, it is not indeed simony; but great care sould be taken to avoid the very appearance of simony or of greed in such cases. A candidate for a bishopric has not the right to appease an unjust opponent either by money or by a promise of money; when he has become a Bishop, however, he may without sin take steps to get rid of persecution. Money may be given for the sustenance of the clergy, but there must be no intention either to buy or to sell spiritual services; and if money be withheld, the priest must take care to render his services as before. No one is allowed to receive anything (except as a free gift) on the occasion of admission into a monastery. It is forbidden to sell the consecrated vessels, so long as they retain their form; in cases of necessity, they must first be broken. A Bishop may, without simony and for pious uses, take certain first-fruits from a benefice *before* it is conferred; but to order the beneficiary to give the first-fruits would be simony. Simoniacs should be deprived of their livings; priests whose ordination is infected with simony receive the sacerdotal powers, but not the right nor the grace to exercise them. It is not allowed to receive Holy Orders from a bishop promoted by simony, even if this is only known certainly, without any legal proof. A simoniacal priest must not only give back his living, but all he has got or might have got by it; unless he was unaware of the fact (if. *v. g.* a third person committed simony for him without his knowledge). Monks received into a convent by simony must leave it; the Pope alone can, in some cases, dispense with these penalties; in others, the bishop has the power to do so.

This short summary of the more important points in the question *De Simonia* may be sufficient to show that the Church, in principle at least, and concerning simony in the contracted meaning given to it, is hardly less severe than Wyclif. But Wyclif, as already remarked, takes the widest possible view of things. According to him, as we may see by a comparison with the first pages of *De Apostasia* and *De Blasphemia*,

apostasy, blasphemy, and simony are merely different aspects of every mortal sin. Every mortal sin is a backsliding from God; every mortal sin is a blasphemous wish that evil may be good; every mortal sin is an inordinate exchange of spiritual grace for some temporal good or other; as, *v. g.* pleasure. But this, he admits, is simony only in the widest possible sense. It is more strictly so called, when external good, and justice between man and man, are in question; cheating is therefore more properly simony than other sins. But it is committed in the strictest sense of all by the clergy, when they possess more than is necessary for their maintenance: for this is a weakening of the influence and spiritual power of the Church, and all the good that would otherwise be done is thus bartered for earthly commodities. And as no Catholic can deny that voluntary poverty, one of the three counsels of perfection, would be a great gain to the clergy from a spiritual point of view, the wilful throwing away of this great gain is strictly and logically called simony by Wyclif. It is of course a mortal sin; and as such, renders the sinner liable to all the anathemas of the Fathers of the Church. But here again we must remember that Wyclif, speaking of simony, is speaking of something which, even in its strictest sense, goes far beyond (though it includes) the regular theological definition. We may here notice by the way how much the idea of voluntary poverty amongst the clergy had progressed from the days of St. Dominic and St. Francis. In the first half of the XIIIth century, St. Thomas is obliged to defend the *right* of the Friars to live in absolute poverty (S. Th. 2^{a} 2^{ae}, qu. CLXXXVII, art. 4. Utrum religiosis liceat de eleemosynis vivere, and art. 5. Utrum liceat eis mendicare); in the latter part of the XIVth, Wyclif asserts this to be the *duty* of the whole clergy. Surely a great change had come over Christendom during that period.

We may therefore say in general — setting aside all that by which our author includes in the sin of simony many actions and states of life which other theologians declare at most to fall off from Christ's counsels, not His precepts — that we find a good deal both in the foregoing and in the following chapters which is in remarkable agreement with the rules of the Church.

Chapter III. The question whether the Pope can commit simony is answered by a strong affirmative, which Wyclif proves by several Decretals. Simony is committed by the Pope through love of pomp and

worldly power. He invents unchristian traditions for the sake of lucre; he promotes curates for reasons quite irrelevant to his spiritual office, which indeed debars him from any right to meddle with temporalities. His claim to all patronage is an encroachment on the duties and rights of the King, which the latter ought to resist. Non-resident Papal presentees, for instance, should on no account draw any income. Cure of souls is one thing, endowment is another; and to give any one a benefice by which he gets an income is to usurp what rightly belongs to the King. According to the Decretals, the founder of a benefice, not the Pope, has the patronage of it; and, as a fact, all patronage was at first in the hands of laymen. If it has passed into the Pope's hands, it is by illegal acquisition. It is a pure fiction to claim that temporal goods belonging to the clergy are something temporal but connected with things spiritual, so that the Pope has right over them. Patronage is really a spiritual right which justly belongs to laymen, and cannot pass from them without simony. In the primitive Church, the clergy were always appointed by popular election (pp. 27—37).

It is said that, under lay rule, the Church would be robbed. Endowments, at least so far as they imply superfluity, would indeed be suppressed; but this would not wrong the Church. It is a crime to take anything away from the Church which belongs to it lawfully; but no one doubts that an Antipope or a heretic may be deprived of what he wrongfully possesses; and Wyclif's position is, that all possession in the Church, beyond the bare necessities of existence, is wrongful, and causes the possessor to be a simoniacal heretic. Those who give such excessive endowments, rob the Church of its virtue, and are its real spoilers, no matter what their intention may be. St. Paul, before his conversion, was a persecutor of the Church, though he acted in good faith. The heresies now prevalent about the Eucharist and sacramental confession run parallel with the doctrine of endowments and gifts made to the Church. Innocent III's decrees would find thousands of prelates ready to maintain them, and to say that an endowed clergy is more perfect than one disendowed, because of the necessities of our times. But these thousands would not make them any the more true; they would only taint themselves with the leprosy of simony (pp. 37—40).

Chapter IV. Again, there is simony in the Pope's exaggerated claims to universal supremacy. He has no right to the collation of

benefices; the Apostles did not apply to St. Peter to choose Mathias, but drew lots, as should be done when it is not evident who ought to be chosen. The flock knows best who can serve its wants. The people, according to St. Jerome, ought to be present at the election, and attest who is and who is not worthy. In old times, either God appointed by direct interposition, or the people elected the candidate; but now we appeal to the Pope. The people is so blind that whilst it would defend its own temporal rights, even to death, it calmly stands by, while the Pope takes away its right to things spiritual. What *he* wants, is not their good, but the increase of his own temporal sway and worldly power (pp. 40—44).

Therefore, Kings, wake up! shake off the chains of heresy. Allow not your liegemen to go the fountain head of simony, that great school of the devil, which exhausts the kingdom both of men and money. Were there an invasion of foemen or an outbreak of leprosy in the realm, your duty would be clear: but we have here to do with far worse. Provide good theologians throughout the kingdom; be careful to appoint no clerks for secular services rendered to you. The revenues of the clergy, taken by the King, would be sufficient to remunerate them without any such appointments. Those are traitors who say that this taking of the Church possessions would be a greater evil than such simony; and as for excommunications, they need not be feared. Curses turn to blessings, if given in such a cause (pp. 44—45).

In every election, the fittest should be chosen; not only any good man (as some say), for whoever is not bad is good; but the best. And any election in which the best man is not chosen is unjust, disallowed by God, and null and void. To reject the fittest man is to oppose God's will; and if we fall away from His standard, we go lower and lower indefinitely. Even a man chosen by God (as in the case of Saul) may be bad; what right have we then to say: This man is good enough, and ot set aside a better one? It is sheer presumption. Therefore an election by majority has no weight at all; neither have bulls of provision, given to any one. It is a great sin even to do right against one's conscience; much more so to do wrong. And to give spiritual power for gain is a worse sin than that of Simon Magus, since what he only wanted to do is actually done. Whether the Pope or any one else chooses a Bishop otherwise than by the rule here laid down, it is a grievous sin (pp. 45—49).

To the question whether elections ought in general to be condemned, Wyclif, after several distinctions bearing on the word, answers that no elections that follow mere human traditions, or that go begond Scripture, are lawful. But he abstains from condemning such as are implicitly contained in the principles of Holy Writ, and acknowledges their utility. Should it be asked why, if many are fit, we are obliged to choose the fittest, the answer is: Because we ought to choose him whom God has chosen; and superiority of fitness (equality being impossible) is the sign by which the Divine choice is known; of fitness, be it understood, under the circumstances as they are. The Papal election, which some compare to God's appointment of Moses, is by no means a similar case. Moses was a type of Christ, and the Pope is only Christ's Vicar in so far as he follows Him. And if he be, let him imitate Moses' conduct in choosing the 70 elders; let him be like Moses, and we shall obey him (pp. 49—54).

Chapter V. If the Pope has the right to reserve the firstfruits for one year, he can do so for two years; and so on, till he takes all for himself. He may increase the number of his cardinals at will, and give them any number of benefices, obtained in like manner. But, if service should be inseparable from payment, when a benefice is vacant, the laity ought to pay nothing. And if the Pope can separate these two, then it is clear that we can have spiritual service without payment, as it was in the times of the early Church, which were far better. This is a great and heavy burden laid on the shoulders of seculars, and they ought to resist. Pope Gregory X, who, at the Council of Lyons, gave the prescriptions concerning tithes, also condemned the holding of many benefices; if the latter prescription is now a dead letter, why should the former be obeyed? As the giving of firstfruits is simony on the part of the giver, so is their acceptance on the part of the Pope: he takes them principally from the priests whom he promotes, and because he promoted them. Kings take a fifteenth, he takes the whole. He translates bishops also, on purpose to get firstfruits from a greater number of them. If we say that the Pope's universal power gives him the right to act thus, we strike at the root of all temporal government. These practices first obtained under John XXII, probably never before. St. Louis burned the Papal bulls relative to the promotion of a certain priest (probably him that Clement IV promoted to the archdeaconry

of Reims, unless Wyclif mistook and means Louis VII. See note, p. 58). It is pretended that the payment of firstfruits is a free gift, but this is a mere pretence; there is a tacit, though not an explicit compact. Let the presentee refuse to pay, and he will soon see if it is considered as a free gift. As to the payment being made after, not before promotion, that makes no difference. (See above, p. XXIV; St. Thomas considers the difference to be great.) Gehazi made no compact with Naaman before he was cured of his leprosy; yet his act was simoniacal all the same, and leprosy fell upon him; so has spiritual leprosy fallen upon the Popes; for leprosy means simony in its mystic sense. Leprosy deforms the body, stinks in the nostrils, is most infectious, and causes the leper to be separated from other men: all these characteristics are fulfilled in simony (pp. 54—62).

Simony as to patronage has long been rampant in England. It is defended under the pretext of the Pope's authority; which amounts to setting it up against that of Christ. Paul withstood Peter; and we have the right to withstand the Pope in this. No man can put him above Gospel Law. In so far as he follows it, he should indeed be obeyed; but no farther. Any permission given by him to transgress it, is a dead letter, and is no more a permission than a dead man is a man. In such cases, the Pope himself should make satisfaction, being, in the wrong; and all Christendom, being obliged to follow him in this, ought, whether he does or not, to reprobate and resist such practices. Failing to do so, it is punished, together with the Pope. How glorious it would be for the Church, if our Pope Urban VI would return to the ancient state, as it was in the days of Urban I! It is a grievous heresy to affirm that whatever the Pope allows is allowed; for Peter, whom Paul resisted to his face, had no power to allow the commission even of one venial sin: no more has any Pope in our times. His dispensations are valid only in so far as God grants them with him; and the heresy which affirms the contrary brings many others after it. — Here comes the second and the longer of the two digressions relative to the Eucharist (pp. 62—70).

Chapter VI. A Bishop may incur simony, if he takes office rather for the dignity and profit which will accrue to him, than with a view to benefit both his own soul and the Church. Also during his episcopate, if he neglect his duties, if he lavish on himself and on superfluous

things his temporal possessions which are the patrimony of the poor, and if he yield to greed in his way of receiving the honours due to him, or in the manner of collecting his revenue. As to the latter point, there are thousands of diabolical contrivances: heavy fees for the benediction of churches and churchyards; five marks, and upwards, it is said. They allege that the spiritual grace is given freely, and that only the Bishop's bodily trouble is paid for; but it is paid for excessively, and reminds us of the miser who was told he could have dainties for nothing, whilst common food was very dear; so he fed his servants with the dainties, and ate common food himself: but his steward, on giving in his account, set the price of the common food so high that it covered the price of the dainties too. Besides, this bodily labour or trouble comes under the definition of simony; for is it not 'temporale spirituali annexum?' A Bishop's corporal labour is worth no more than that of a layman, unless we consider it in connexion with his standing as a Bishop. If this is a real payment, the Bishop has the right to exact more, according as his position is higher and the demand — the necessity of the flock — greater. I suppose that Wyclif means that a Bishop's fee, like a physician's, might then be fixed according to his celebrity and the want of his services. This would open the question as to how far a physician's fee is the purchase of his knowledge rather than of his work. — Either the Bishop's labour is worth as much as that of a layman, or infinitely more; so he ought either to make a free gift of it, or exact a reasonable price. As to the functions themselves, why should not a priest who can consecrate Christ's Body, consecrate a church too? There are, by the way, too many of these ceremonies, and they are a burden to the Church. We should not absolutely reject them, but they must not be set above Scripture, and should be carefully kept down to what they used to be in early times. A Bishop may even accept money freely given to him, at a ceremony which he performs gratuitously on his own part. But all this — as Innocent writes in the Decretals, forbidding any exaction whatever — is full of the danger of simony (pp. 70—78).

There are also fees for benedictions of sacerdotal vestments, of the holy oils; fees for confirmation and ordination; fees to clerks and to barbers, and so on. It is no matter if the sums are small; so was the widow's mite. Whether a Bishop does not or does know of such exactions, is quite irrelevant: he ought to know; the poor clerks who

come to him for ordination seldom or never offer presents of their own accord; yet free gifts are all that the Decretals allow to be made. If these be called free, then we have an ample excuse for the buying and selling of benefices; that would imply only the purchase of the temporal profit attached to them, and the use of the temporalities. But by the law of the Church, all such traffic is forbidden. — The Bishop's officers, too, are said to buy their offices; confessions and baptisms are paid for by a clever evasion of the law; and the Bishop, living in state, having grooms who tend unnecessary horses, and servants kept with the property of the poor, thus makes money for himself with simoniacal greed. As a result, he cares very little for the spiritual side of the matter. The world, and not God, is the god of such a Bishop! It would be far better for him to have nothing but the bare necessaries of life; and our rulers, by taking the means of luxury from him, would be doing a good deed. Poverty is inculcated by Canon law: it only allows presents freely given, not exacted. We should indeed help those nearest to us (and the Bishop, as our pastor, is of such) but only to relieve them when they require it. And the episcopal dignity does not stand in need of outward pomp, any more than that of Christ and His Apostles (pp. 78—84).

Chapter VII, is aimed at the endowed Orders. Simony reigns amongst them at their entrance into the Order, during their stay, and at their egress (v. g. to become curates of parishes given to Abbeys by appropriation). A richer man is accepted more readily than a poorer one, though the latter may be the better of the two. Here Wyclif assails the system of corrodies, which (as appears by a notice from Mr. Matthew, quoted in the Addenda) was a system of life-annuities, either in money or in kind, given in return for a certain sum or possession made over to the Order Wyclif observes that it implies a doubt of Christ's words on the part of him who wants to give up his property, but is afraid of having no assured means of subsistence. Then, instead of the poor getting the surplus of the Abbey's (or monastery's) income, it has to be given to the rich. This may (and does) go so far, that the whole income is often barely sufficient to pay the corrodies, and the monastery itself is ruined. If such bargains be allowed, convents might make any other bargains they chose, either with Bishops or other prelates. As St. Boniface says, no spiritual gift should be bought for

money; ingress into an Order by purchase is therefore illegal, and corrodies are still worse. The money paid is not a purely temporal thing. If superfluous, it is taken from the poor; if not, it diminishes, by so much as is paid, the number of monks who might live in the monastery. If a religious house suffers from want, let it suffer. The system of corrodies might soon bring it to such a state that it could no longer pay them. And the bargain, such as it is, is founded upon sin, and consequently null and void: the patron of the abbey is bound to annul it, so that the buyer has no security whatever. Wyclif then points out that simony is incurred on entering an Order with ambitious views, or for the advantage of a comfortable and quiet life, or anything better than could be expected in a secular state (pp. 84—88).

Simony is often committed by monks in their daily life, by obtaining funds as perpetual alms from temporal lords, and also by appropriating the incomes of parishes to their own use, promoting members of their own orders as parish priests. It is robbery of the secular clergy. The perfection of the religious state is thus sold for money. It is a shameless lie to pretend that the Pope and the clergy are in want — calculation of their revenue would give each member a thousand marks on an average[1] — or to say that such appropriations are for the good of the Church, because the Pope permits them. They pay money to the King and others to obtain such appropriations; and thus we find a body which has the right of perpetually naming one of its own members to a spiritual charge. Those who allow this, acquiesce in the future nomination of anybody, no matter whom. Christ indeed tolerated Iscariot; but that is no reason why we should consent to the promotion of possible bad priests. By this system, a considerable sum of money is annually given to the Bishop and Chapter: which is rank simony. And where there is no appropriation, the Abbots having received the patronage of churches from the temporal lords, have filled them with their creatures, who in gratitude have granted pensions to the Abbey (pp. 88—93).

[1] I suspect there is a slight mistake in the text here. The mark was worth 13 s. 4 d. which would be not far from £ 700 in *our* time. The average clergyman would then have been a millionnaire; if we consider the purchasing power of the mark in those days.

There are three remedies for this abuse. The Pope, though it cannot be expected of him, might effect a thorough reform; the secular power might take back the endowments; or the people (which is most likely) might withdraw their tithes and offerings. Instead of the Colleges being destroyed, they would profit thereby; for the patronage of the livings would be sufficient to maintain them. — There are also payments made to laymen for defending the monasteries, whilst the prelates live in luxury and extravagance. It is said that, if not thus paid, the laymen would despoil the convents of their income. But such payments amount to doing evil that good may come, and that is forbidden by the Church. We may not commit the slightest sin, even to save the whole world; and even if the religious houses were dissolved, the only result would be that the monks and their property would be spread about everywhere in the world, and do more good. If we want to lead a monastic life, let us flee to the desert, and not live in towns, ousting laymen from their proper functions (pp. 93—98).

Chapter VIII is levelled at the temporal lords and all other classes of men who are tainted with simony. Wyclif begins by positing as a principle that any man who consents to simony is responsible for the same. Rulers may be ignorant of what simony is, and consent in ignorance; but it is their business to know. Now consent is implied, either by contributing actively to any deed, by defending it, by advising it, by allowing it, or even by remaining passive. And most Friars consent to simony in the last way. We must not await the decision of the courts of law to consider any man as a simoniac; court judgments may be purchased, and a judge may also be infected with simony, thus becoming incompetent to judge. It is essential that a judge should have the requisite qualities: power, conscientiousness, knowledge, and goodness. If not, he will only condemn himself whilst he condemns others, as did Christ's judges. We are obliged to obey those in authority, but only when they are in the right. We have freewill and reason, given us by God. The people ought to rise up against pastors whom they know to be idiots set over them for the sake of lucre; they would have Canon law in their favour. As things stand, if an incumbent died regularly in the course of the first year of possession, the Papal collector would take, not only a part of the benefice, but the whole; and if

the Pope may abrogate any law, how are we to know where he will stop? These collectors ought not to be tolerated (pp. 98—104).

What should be done to simoniacs? In the Old Law, they were put to death; in the New, they are to be shunned by all Christians. As a fact, they are excommunicated, if known as such. This vice is, however, so prevalent that we cannot entirely cut ourselves off from the society of simoniacs; but it is enough to separate ourselves from all fellowship with simony itself (pp. 104—105). Here Wyclif is more lenient, as it would seem at first sight, than the Church of Rome, and even than the text of St. John which he quotes: "Nec ave ei dixeritis." If a man is excommunicated, he should be avoided, lest we share in his wickedness. But the width of Wyclif's definition prevents his practically following up his conclusion to the extent intended by Church law. On the other hand, he was able to point to the general view of the best theologians, that in a case of simony, every man must follow his own conscience and certain knowledge, and does not require to await a legal decision. See above, in the exposition of St. Thomas' doctrine.

We must obey God rather than man. Monks ought to refuse their aid in getting appropriations, even though commanded by their Superiors, and even when it is allowed by the Pope. It is a false excuse for remissness in inveighing against this evil, to say that a Friar in his convent has not to meddle with such questions. When he knows that they are in the wrong, he should reprove them. Some leave the appropriated churches to vicars, in order not to be burdened with secular duties; but a benefice entails duties which may not be set aside. At the Day of Judgment, they will be responsible in their own persons for souls lost; besides, this would at best be buying the vicar's services; and no one has a right to do anything by which the Church may suffer detriment. The office of preaching, too, which never was so necessary as now, would suffer thereby. This duty falls upon all; and the higher the rank, the more strict the duty, both for the Pope and for Bishops. Wyclif admits that the superfluity of a parish may be given away, but only by the free will of the givers (pp. 105—109).

One extreme conclusion of this doctrine is said, to be that it would render all Church rites invalid, since all are performed by simoniacs. But the fact is that, as they are *ipso facto* suspended from their office, it would be a gain for the Church if they ceased to minister, and it is

a law of the Church that simoniacs have not the right to celebrate Mass (cantare missam). It is therefore false to say that all Masses have equal worth. A simoniacal Bishop blasphemes in every one of the functions which he seems to perform. Blessings, consecrations, ordinations, confirmations, are all equally invalid from their hands. They are anathema; how can they sanctify others? A Bishop is consecrated with the taint of simony: he gives gold and loses his soul. He consecrates others simoniacally; they give gold and receive leprosy. There is therefore no essential order of hierarchical subjection between such a Bishop and his clergy; but Christ ordains whom, how, and when He chooses, to make good what is wanting. We do not know with what rites He consecrated His apostles. This teaches us to think little of externals. Wyclif concludes by repeating once more his appeal to the secular power (pp. 109—113).

Such is, in substance, the tractate *De Simonia*. It is the work of a powerful and logical mind, travelling from certain fixed premises to conclusions which necessarily flow from them. If those premises are admitted, the inferences must be granted. But, at the same time, there is no doubt that many of Wyclif's contemporaries, without following him in all his theories, were willing to grant the existence of a multitude of abuses in the Church; and for them this book had the advantage of drawing their attention to the evil. Still, there is no evidence that any lasting reforms sprang up *within* the Church of England on account of Wyclif's tractate. The reason is not difficult to find out. Such as were in favour of reforming abuses were no doubt amongst the best of the clergy; those that were against all reform were the worst: and the latter could always point to what both parties considered as great exaggerations, to say the least, and thus to paralyze the efforts (if any were indeed made) of the party of reform. Few Catholic Bishops or priests cared to be counted, even unjustly, amongst Wyclif's adherents; and the majority of moderately-thinking men were naturally unwilling to look at any such movement otherwise than with distrust and suspicion. As for the influence of *De Simonia* (taken of course along with that of Wyclif's other works dealing with the same subject) on public opinion *outside* of the ranks of the clergy, it seems no exaggeration to say that it prepared and facilitated the great cataclysm which, two centuries later, swept away the monastic houses in England, and put such a great part of the Church revenues into the hands of the 'temporal lords'.

DE SIMONIA.

CAP. I.

Post generalem sermonem de heresi restat de eius partibus pertractandum. Tres autem sunt maneries heresis plus famose: scilicet symonia, apostasia et blasfemia, nec distinguuntur ista ex opposito, cum tam virtutum quam viciorum species sint connexe. Raciones tamen illorum distinguuntur: cum apostasia sit generaliter secundum racionem qua homo a religione dei exorbitat; blasfemia secundum racionem qua virtuti dei inponit calumpniam; sed symonia secundum racionem qua nititur ordinacionem dei dirrumpere. Et sic per istam triplicitatem tota trinitas est offensa: per apostasiam Deus pater, qui secundum religionem mundam et immaculatam potenter religat sponsam sibi Christi; deus filius, qui cum sit virtus dei et dei sapiencia, per secundam heresim cottidie blasfematur; et deus spiritus sanctus, qui cum ex summa benignitate sapienter ordinat pacifice domum suam, ex pravitate symoniaca ordinacioni sue contraria irritatur. Symoniacus enim resistens spiritui sancto nititur istum ordinem benignum blasfeme dissolvere et sic pacem. Unde cum secundum veritatis testimonium peccatum in spiritum sanctum sit irremissibile tam in hoc seculo quam in futuro, ab illo videtur dignum incipere, cum symonia sit lepra quam ex natura morbi et induracione eius continua impossibile est nisi per insolitum dei mira-

Three chief kinds of heresy; simony, apostasy and blasphemy, connected but distinct.

The simoniac tries to break down God's order.

4. scilicet *om. i.* 6. sint *deh,* sunt *ceteri.* 7. illorum *h,* istorum *ceteri.* 8. regione dei *h solum.* 9. qua homo *abcdefgi.* 11, 12. *in textu* destinccionem, *alia manu* triplicitatem *a;* triplicem *b; in textu* triplicem distinccionem, *al. m.* triplicitatem *d; in textu* triplicem, *al. m. add.* divisionem *f;* triplicitatem *rasum, al. m.* distinccionem *g.* 14. religat *h,* ligat *ceteri,* Christi *i solum.* 15. secundam dictam heresim *d.* 16. qui *om. h.* 17. pacifice *om. i.* 24. lepra contracta ex *i,* contracta *a in rasura.* 25. eius contraria *i.*

21. Cf. Matth. 12, 32.

culum quod sanetur; ipsa enim propter contagionem morbi caucius ab ecclesia est cavenda.

Scripture and the public voice testify to the existence of simony.

Tractando autem de symonia, oportet supponere illam esse, quod nedum testatur fides scripture Act. 8, sed fama publica laborat, post dotacionem ecclesie ipsam magnam partem vocate ecclesie occupasse. Narrat enim scriptura quomodo Symon magus voluit ab apostolis emisse potestatem, ut cuicunque manus inponeret, spiritum sanctum reciperet. Et ab ipso Symone mago dicta pestis emendi dicitur symonia, sicut a Gesi, de quo 4 Regum cap. 5, pestis vendendi dicitur Gesia. Et ista duo venena nova et vetera correlarie se secuntur ac utrumque amplectitur

Definition: Simony is an inordinate will to exchange spiritual for temporal things.

nomen alterius. Describunt autem periti symoniam, quod est inordinata volicio spiritualia pro temporalibus commutandi; hoc enim est clarius quam hoc genus "studiosa voluntas", quia nedum licet omni homini, sed debet emere beatitudinem et per consequens debet studiose emere spirituale, sicut loquitur dominus in propheta Ys. 55: 'Venite et emite absque argento' et docet beatus Gregorius Super ewangelia omelia 5; et idem dicunt beatus Bernhardus et alii sancti, cum nemo aliter est beatus, eciam Jesus Christus. Item magister debet studiose commutare discipulis suis scienciam, sicut predicator vel sacramentorum ministrator studiose debet commutare pro parco temporalium subsidio officium spirituale vel meritum. Ideo non

The definition requires 'inordinate' since such exchange may be lawful.

per se in tali commutacione est vicium, dicente apostolo Cor. 9: 'Si nos vobis spiritualia seminamus, non magnum est, si carnalia vestra metamus.' Item licet studiose commutare vendendo et emendo decimas, oblaciones, et alias res sacras, sicut patet in mille casibus, ideo non per se in illa commutacione, sed in commutacionis inordinacione consistit peccatum, quod non per se primo est in actu extrinseco, sed radicaliter in actu volendi. Et quia aliunde posset esse error in potencia volitiva que voluntas dicitur, ideo signanter dicitur symonia consistere in actu potencie volitive. Et credo quod idem intelligitur per hoc genus 'studiosa voluntas', nam sine

3. ipsam *ceteri.* 8. *in textu* emisse, *al. m.* emere *ag.* 9. mago dicta *om. ceteri.* 14. voluntas *i, in textu* volicio, *al. m.* voluntas *a.* 18. deus *ceteri; ib.* prophetia *d.* 20. ibi *pro* idem *ae,* docuit *i.* 24. parco *corr. ex* parvo *d,* parvo temporali *ceteri.* 27. spirit. ministramus *h.* 31. per se *h,* sequitur *ceteri.* 32. quod *h,* quia *ceteri;* in textu quia, *al. m.* quod *d.*

18. Isaias 55, 1. 19. Migne Patres Latini 76, 1092. 27. 1 Cor. 9.

illo non est symonia et per illum sine actu extrinseco perficitur symonia. Item quia equivocacio et sophisticacio consistit in empcione et vendicione, nec permittit ars describendi ponere disiunccionem in diffinicione, ideo loco huius disiuncti 'empcio vel vendicio' accipitur iste terminus 'commutacio', qui utrumque amplectitur, sicut et contractus privatos eciam subdolos quos nec empcionem nec vendicionem nominant. Et per idem non oportet ponere in fine illud disiunctum spirituale vel spirituali annexum, sed tota difficultas consistit de communitate descripcionis, quod est nimis anologa, et de quidditate rei spiritualis, cum videtur omnem rem esse secundum racionem aliquam spiritualem; sed neutrum istorum repugnat predicte sentencie, cum sit communis obieccio contra grossos philosophos. Nam quicunque peccat mortaliter vendit dyabolo animam suam et dignitatem humani generis. Sed specialiter et famose dicitur symonia inordinatus contractus hominum circa spirituale officium domus dei, qui, dum sit periculosus circa tam preciosum ministerium, contrahitur concomitanter ad quodlibet mortale peccatum circa illud officium. Et hec est racio, quare sancti docuerunt equivocaciones signorum, ad extrudendum hoc spirituale cambium venenosum, ut dicit beatus Gregorius super ewangelia Omelia 4[a]: 'Sunt,' inquit, 'nonnulli, qui nummorum premia ex ordinacione non accipiunt, et tamen sacros ordines pro humana gracia largiuntur atque de largitate eadem laudis humane solum retribucionem querunt, hoc munus quod gratis acceptum est non gratis tribuunt, cum de impenso officio sanctitatis nummum favoris expetunt'. Unde bene, cum iustum virum describeret, propheta ait: "Qui excutit manus suas ab omni munere." Signanter, inquit, dicit ab omni, quia aliud est munus ab obsequio et aliud munus a manu, aliudque munus a lingwa. Munus quippe ab obsequio est subieccio indebite impensa, munus a manu peccunia est, munus a lingwa favor vel paccio inordinata. Qui ergo sacros ordines

The most common meaning of simony is an inordinate contract to obtain spiritual office.

5. illius *ceteri.* 6. qui *hi*, utraque *ceteri.* 7. vel *pro* eciam *ceteri*, non emp. vel vend. *ceteri.* 9. *pro* ponere in fine: inponere *ceteri, pro* illud: hoc *ceteri.* 10. in *pro* de *abi; ib.* commun., *al. m., in textu* commutatione *a.* 11. que, analogica *i.* 17. Et spec. fam. *bcdeg,* spiritualiter *h.* 19. *pro* dum: cum *ceteri; ib. in textu* preciosum min., *al. m.* periculosum *a;* periculosum *i.* 20. *pro* concomitanter communiter *ceteri.* 22. concludendum *i,* excludendum *ceteri.* 23. ut *om. i.* 24, 25. nummorum *dh,* munerum *ceteri.* 25. non *in dh solis legitur.* 27. requirunt *h,* querunt *ceteri.* 30. bene *om. i.* 34. id est debite *i.*

23. Migne, l. c. 76, 1091 (4), verbis compluribus mutatis. 31. Isai. 33, 15.

tribuit tunc ab omni munere manus excutit, quando in divinis rebus non solum nullam peccuniam sed nec eciam humanam graciam querit.' Et idem ponitur in canone 1 questione 2, Sunt nonnulli; vult sanctus dicere, quod quandocunque quis inordinate spirituale donum dei commutat per se vel alium, tacite vel expresse, committitur symonia, quia contra preceptum domini Matth. 10: 'Gratis accepistis, gratis date.' Numquid veritas in hoc posset decipi quod procuratur per mediam personam contractus fieri, qui de facto est illicitus? Secundo ex istis cum facto colligitur: cum omnis symonia sit heresis, pauci vel nulli sunt clerici beneficiati, qui non utcunque sunt symoniace promoti.

The greater part of the clergy is heretical and the highest are the worst.

Ex quo videtur, quod maior pars et specialiter superiorum ecclesie sit heretica, nec est hereticorum diversitas quo ad illud, nisi quod superiores ecclesie constancius, multiplicius, vel pinguius retinentes symoniace beneficia ecclesie sunt magis heretice. Veritas istius sentencie patet 1 questione ultima ex decreto pape Pascalis, cap. Patet: 'Patet,' inquit, 'symoniacos veluti primos et precipuos hereticos ab omnibus fidelibus esse respuendos, et si comoniti non resipuerint, ab exteris eciam potestatibus opprimendos; omnia enim crimina ad comparacionem symoniace heresis quasi pro nichilo reputantur.' Et idem testatur beatus Gregorius Super Ewangelia Omelia 17: 'Vobis enim,' inquit, 'sacerdotibus lugens loquor, quia nonnullos vestrum cum premiis facere ordinaciones agnoscimus, spiritualem graciam vendere, et de alienis iniquitatibus cum peccati dampno lucra temporalia cumulare. Cur ergo ad memoriam vestram non redit, quod vox divina dicit: "Gratis accepistis, gratis date?" Cur non ante mentis oculos revocatis, quod ad templum redemptor noster ingressus cathedras vendencium columbas evertit et numulariorum es effudit? Qui namque sunt in templo dei hodie, qui columbas vendunt, nisi qui in

2. non soluin nullam *h; idem al. m. add. d; non sol. om. ceteri.* 3. illud *pro* idem *h; ib.* in canone 1 *om. ceteri.* 5. inordinate *om. i.* 6. per alium *i.* 7. preceptum *dh,* precepta *ceteri; ib. pro* domini: Christi *ceteri.* 9. procuraretur *i.* 10. sancto *i, in textu* sancto, *al. m.* facto *bd.* 13. utrimque *h.* 14. quod *om. i.* 18. Suppositum veritas istius *abegi.* 19. huius sent. *i.* 20. Pascasii *codices* cap. Patet *om. ceteri.* 22. resipiscunt *ceteri.* 26. enim *om. ceteri.* 27. *pro* facere: fere *d,* ferre *g,* super *ceteri.* 30. cur *i,* tunc *h,* cui *ceteri.* 32. cur autem non *h; ib.* quia *h; ib.* ad templum *ceteri.* 34. evertit es *pro* es eff. *i.*

3. Corpus iuris canonici ed. Friedberg I, 402 (c. 114, C. I, q. 1). 7. Matth. 10, 8. 19. Corpus iur. can. I, 437 (c. 27, C. I, q. 1). 26. Migne, l. c. 1145 (13). 32. Cf. Joh. 2, 1, 2.

ecclesia precium de inposicione manus accipiunt, per quam videlicet inposicionem spiritus sanctus celitus datur? Columba ergo venditur, quando donum spiritus sancti ad precium prebetur. Sed redemptor noster kathedras vendencium columbas evertit, quia talium negociatorum sacerdocium destruit. Hinc est quod sacri canones symoniacam heresim dampnant, eciam eos sacerdocio privari precipiunt.' Et quia sanctus scivit multas sophisticaciones fieri in ista materia statim annectit: 'Veniet profecto dies illa, nec longe est, in qua pastor pastorum appareat et uniuscuiusque facta in publicum deducat, et qui modo subditorum culpam per prepositos ulciscitur, tunc prepositorum mala per semet ipsum seviens dampnat. Unde ingressus in templum per se quasi flagellum de funiculis fecit et de domo dei pravos negociatores eiciens kathedras vendencium columbas evertit, quia subditorum culpas percutit per pastores, sed pastorum vicia per semet ipsum ferit. Nam ille certe iudex venturus est, cui tacendo quisque non potest se celare, quem negando non potest fallere.' Ubi ille sanctus videtur dicere, cum per columbas significatur ecclesia, ut Cant. 5°, vel donum spiritus sancti, qui in columba apparuit: illi vendunt columbas qui vendunt ecclesias, vel donum aliquod spirituale. Et secundum Crisostomum ac illum sanctum illos debet Christus ut rex, et alii domini seculares in nomine summi regis destruere; et ideo dicit decretum pape Pelagii eos esse ab exteris potestatibus opprimendos, dicit glosa 1 a laicis, qui habent potestatem hanc extra cleri ecclesiam, ut patet distinccione 17 Nec licuit, et 23 questione 5, Principes. Et hic plene patet, ut sepe dixi, quod domini temporales possunt licite auferre temporalia ab ecclesia delinquente. Nec valet dicere, quod oportet in istis omnino expectare decretum Romani pontificis,

Secular lords should put down simony.

2. scilicet *h*. 3. cum *pro* quando *i*. 5. negoc. *om. i*. 6. destruxit *i* 9. in ista materia *pro:* in hac parte *ceteri; ib.* annectit *agh;* advertit *cef;* adducit *d;* adiecit *i*. 11. publico *ceteri*. 12. nunc *i*. 14. templum *ceteri*. 17. met *om. i*. 18. recte *pro* certe *h*. 20. *pro* ubi: ultra *bcg*, vult *defh; ib.* iste *ceteri,* videtur *om. cegh*. 27. *in textu* Pellagii, *al. m.* Paschasii *d*. 29. patet *h solum; ib.* ut *pro* nec *i* 30. hinc *bdf, om. ag; ib.* plane *ceteri*. 31. temp. *om. i*.

4, 9 et 19. Complura verba omissa vel mutata sunt. 17. Cf. Joh. II, 1, 2. 22. Cant. 5, 12. 28. Decretum in Corp. iur. can. c. 4. d. 17 sub nomine Gregorii citatum. Cf. Friedberg I, 51, C. IV. Notationes Corr. 29. Corp. iur. can. I, 51 (c. 4. d. 17). Glossa legitur in editione Corp, iur. a. 1506, f. 15b. 30, 31. ibid. I, 936, (c. 20, C. 23, q. 5). Glossa l. c. in nota pracced. f. 281b.

quia sepe ipse cum cardinalibus suis fit symoniacus et a brachio seculari depositus virtute primi pape. Ideo absit, quod fallacia antichristi seducat mundi principes et claudat tela aranee manus suas, ne ex defectu iuvaminis sui et matris ecclesie vadant ad infernum precipites.

Improper ways of obtaining promotion.

Residuum autem conclusionis patet notando omnes curatos, qui per media illicita impetrant beneficia a papa, notando eciam omnes episcopos vel clericos, qui ex ministerio, rogatu, vel litteris dominorum secularium indigne ad beneficia ecclesiastica sunt promoti; et notando eciam tercio omnes ministros prelatorum, cognatos, vel quomodolibet confederatos, qui vel ab ipsis vel mediacione eorum illicita sunt promoti. Et paucos vel nullos prelatos ac curatos invenies, qui non sint

These heretics prosecute the faithful.

heretici. Et tamen illi more latronum, more sacerdotum blasfemiam Christo inponencium, et generaliter more antichristi membrorum impetunt fideles citissime super heretica pravitate, et dimissa lege Christi statuunt sibi unum capitaneum avarum, in cuius iudicio false fingunt, quod pendeat totum, quod in illa materia est credendum. Et ille communiter est ignarus ac cupidus in eadem dampnacione cum hereticis scole sue, et tamen dimisso Christo cum suis legibus, eius iudicio et legibus innititur.

Two other kinds of heretics; I. Friars,

Et preter istos hereticos sunt duo alia hereticorum genera que dampnabiliter sunt culpanda, scilicet exproprietarie viventes, ut fratres et domini seculares. Primi enim in predicacionibus, in privatis exortacionibus, et in consiliis vel confessionibus de ista materia obmutescunt. Nec dubium, cum isti speculatores debent scire et accute suadere oppositum, alioquin ex consensu gravissimo

II. Rulers who support simoniacs.

sunt proditorie accusandi. Ultimum vero genus sunt seculares domini, quasi heresiarche, qui nedum tacent in suis bonis contra iuramentum factum ecclesie atque officium limitatum a deo, sed symoniacos hereticos faciunt, fovent, et defendunt; et multi tales in casu quo instructi fuerint et non excecati per hereticos, destruerent visibiliter hunc errorem. Sed sicut mutitas non excusat nos, quin debemus hec illis dicere, ita eorum ignorancia non excusat eos, quin, nisi se correxerint, sint dampnati.

1. *pro* ipse: ille *ceteri*. 5. principes precipites *i*. 11. eciam *om. ceteri; ib.* quod omnes *i*. 13. ipsorum illicite *i*. 14. prelati heretici *acefgi;* prel. *cancell. d*. 15. cum *pro* tamen *abd*. 20. ista *ceteri*. 23. innituntur *ceteri*. 25. que, sunt *om. adfg*. 26. ut dom. fr. sec. *i*. 33. in factum *dfg;* in *ras. a*. 37. visib. *om. i; in textu* visib., *al. m.* verisimiliter *d*. 39. dampnandi *ceteri*.

Moverent enim ad hoc beatitudinis premium, pax regnorum, et, ut loquar ad hominem, temporale comodum. Nichil enim nostri ministerii videretur Christo placencius, quam tam caritativa direccio sponse sue et tanta honoracio matris nostre; et quoad pacem hominum non dubium, nichil plus perturbat pacem regnorum, quam symoniaca heresis predicta. Ex ea enim deest regnis instruccio inimicos diligere, mundana contempnere, et verbo ac exemplo bona voluntate secundum legem Christi vivere. Nam per heresim symoniacam est omnino contrarium introductum. Ideo dicit beatus Gregorius in Registro libro 3, capitulo 29 regine Francie: 'Cum scriptum sit: "Iusticia elevat gentem, miseros autem facit populos peccatum", tunc regnum stabile creditur, cum culpa que cognoscitur cicius emendatur.' Ideo cum causa ruine populi sint sacerdotes mali, ac in nostris partibus sacerdotes nequiter conversantur, ad hec ulciscenda debemus ardenter consurgere, ne paucorum facinus sit multorum perdicio. Et sequitur: 'Providete ergo anime vestre, providete nepotibus vestris, quos cupitis regnare feliciter, providete provinciis, et prius quam creator noster manum suam ad feriendum excuciat de correccione huius sceleris studiosissime cogitate.' Quo ad tercium patet, quod aliqua bona hereticorum mobilia confiscarentur principibus, qui heresim eorum destruerent, et omnia bona eorum immobilia, ut redditus et predia quibus dotati sunt, redirent ad manus secularium, sicut primo, quia hoc perficeret statum ecclesie, sicut ex ordinacione Christi fuit in primitiva ecclesia. Et licet progenitores superstitum ex ceca dirrupcione religionis Christi privaverint se vero dominio quo ad deum, tamen posteri contriti de sui et progenitorum stulticia acquirent corrigendo errores titulum iusticie quo ad deum et quo ad homines; iste titulus foret longe iustior, quam titulus gladii ex conquestu.

Reasons why rulers should enforce amendment: I. The hope of bliss. II. The desire of peace. III. Temporal advantage.

1. moveret *i;* moverent autem *ceteri.* 3. videtur *ceteri.* 4. dileccio *a,* direccio *bcehi,* deieccio *f.* 4, 5. sponse — nostre *om. i.* 7. *pro* ea: illa *ceteri.* 8. ministracio *pro* instruccio *h.* 9. in bona *ceteri;* vol. *corr. ex* bonitate *a;* bonitate *fg.* 11. dicit *om. i.* 13. elevavit *i.* 14. credetur *acdg.* 15. miserie *pro* ruine *abefg.* 17. *in textu* ministr., *al. m.* conversantur *d;* ministrantes *ceteri.* 23. alia *pro* aliqua *codices.* 25. heresim ipsorum *ceteri.* 27. hic *h.* 29. ecclesia primeva *ceteri.* 30. Christi *om. ceteri,* Christi *al. m. d; ib.* privaverunt *af;* privarent *i.* 32. *in textu* talium, *al. m.* titulum *ad;* talium *beg,* talem *ef.* 33. *in textu* iustissime, *al. m.* iusticie *d;* iustissime *bgi; ib.* deum *in margine al. m. h.* 34. ex conq. aquisitus *f.*

12. Epist. Lib. II, ep. 69; Migne, l. c. 77, 1209. 13. Cf. Prov. 14, 34. 15. Cf. Migne, l. c.: 'Nam causa sunt ruinae populi sacerdotes mali.' 19. Migne l. c.

Endowment is the mother and nurse of heresy.

Cum autem sint leges et raciones multiplices ad destruendum hanc heresim, nec destrui possit radicitus, antequam mater eius et fotrix destructa fuerit, manifestum est, quod oportet ad eius destruccionem sicut in tempore Christi fomentum subtrahi. Nam stante dotacione que est fotrix heresis huius ecclesie, miraculum foret insolitum quod heresis symoniaca extinguatur. In cuius signum a tempore Symonis magi usque ad dotacionem ecclesie hec heresis fuit sopita, nec inter religiosos non possessionatos nec circa marcida beneficia crebrescit hec heresis, sed circa beneficia pinguia, ut sunt episcopatus et alie cesaree dignitates; cuius racio est quia miraculorum operacio, in qua spiritus sanctus assumitur, nunc non videtur sicut in ecclesia primitiva, cum cuncti fideles cognoscunt, quod est singularis dei operacio nec dignitas nostrorum prelatorum meretur hoc aliis. Ideo ex cautela diaboli eversa est cleri religio a christiana in cesaream et, dimisso titulo recipiendi a populo edificato elemosinas gratis datas, statuuntur quedam leges antichristine ad extorquendum peccunias, et sic est venalitas heresis symoniace introducta. Et ista sunt tempora periculosa que predixerunt Christus et suus apostolus.

Parisiensis says that simony is spiritual sodomy.

Unde Parisiensis in tractatu suo De Avaricia narrando octo que faciunt ad detestacionem huius peccati, dicit in eius horrorem, quod est spiritualis sodomia. Sicut enim in corporali sodomia contra naturam semen perditur, ex quo individuum humani generis formaretur, sic in illa sodomia semen verbi dei deicitur, per quod in Christo Jesu spiritualis generacio crearetur. Et sicut sodomia fuit tempore legis nature contra ipsam naturam unum de peccatis gravissimis, sic symonia est

2. potest *bde*. 14. primeva *ceteri*. 17. in aliis *eg*. 18. recitandi *a;* recipiendum *bce*. 22. sunt *h solum exhibet*. 26. in *om. h,* errorem *h*. 29. ista symonia *ceteri*. 31. ita sicut *ceteri*.

24. Parisiensis a Wycl. Guilelmus episcopus Parisiensis appellatur (cf. Poole De Civili Dominio, pag. 301, note). Cui Guilelmo saepe opera Guilelmi Peraldi episcopi Lugdunensis false attribuuntur; quo errore Wyclif quoque captus esse videtur, cum loci e Parisiensis libris laudati inter Guilelmi Parisiensis opera minime repperiantur, in Guilelmi Peraldi vero tractatu De Avaricia legantur omnes. Idem tractatus typis expressus est in editione Antwerpiana Philippi Nutii 1571, cui inscriptum est: *Summae virtutum ac vitiorum Guilielmo Peràldo episcopo Lugdunensi ord. Praedicatorum auctore.* T. II, pag. 34^{b} seqq. Locum hic citatum ibidem, pag. 74^{b} invenis.

tempore legis gracie contra ipsam graciam gravissimum peccatorum. Et cum gravius peccant membra diaboli tempore legis gracie, quam tempore legis nature peccaverant, signanter dicit Christus symoniacis Matth. 10, quod tollerabilius erit terre Sodomorum in die iudicii quam populo eicienti dignos prepositos. Et in signum detestacionis huiusmodi peccati Christus legitur bis intrasse templum ut dominus, scilicet Joh. 2 et Matth. 21, et mercantes in templo figura notabilissima et iustissima eiecisse. Et hinc dicit quidam quod iuvante seculari brachio fons symonie, Avinonicus nidus, ex se quodammodo dissipatur. Qui enim solebant columbas vendere quoad pinguiorem mercaturam de suis cathedris sunt deiecti, et es quod solebat formari per eos de bonis pauperum Christus effudit per vias absconditas, ne communicent illud in mensis eorum. Sed timeo de illa prophecia Elizei 4 Regum 5 'quod lepra Naaman adherebit Jesi et semini suo in sempiternum'. Cum enim necesse sit lepram symonie spargi in ecclesiam et habere ut mineram unum capitale cubiculum, enervata in parte ista minera, surrepsit alia; et timendum est, quod in penam peccati invalescent ambe vel altera, et plus inficient ecclesiam in penam peccati prioris absconditi.

Avignon the source of simony.

Sed unum audeo prophetizare, quod continue durabunt prelia, quibus consurget gens contra gentem et regnum adversus regnum, quam diu ista pestis symonie duraverit. Nam per istam lepram potissime discontinuantur, fedantur, et inficiuntur membra ecclesie et per consequens separantur a capite, rege pacifico. Et hec est racio quare tam crebro vocatur heresis aput doctores et leges ecclesie ut patet 1, questione 1, Qui studet, et Quicunque et Cum liqueat et cap. Quociens in 5 decretalium De Symonia cum multis legibus similibus eis. Et hinc 3, Reg. 13 sic

War will continue as long as simony lasts.

5. est *h.* 7. modi *om. ceteri.* 8. scil. *om. afg.* 9. *in textu* mercatores, *al. m.* mercantes *a; ib.* nobilissima *i.* 10. quidem *h.* 11. Avinonicus *h*, armonicus *ceteri; ib.* nidus *hi soli* 13. quo *om. i; ib.* mercimoniam *i.* 14. eiecti *ceteri.* 15, 16. *pro* ne communicent: ne contractent *d*, ne committerent *h;* qua tractarent *i; in textu* communic., *al. m.* contractarent *a.* 16. suis *pro* eorum *i.* 17. adherebat *i.* 20. mineram *eh;* maternam *cd*, matronam *ceteri; ib.* enumerata *pro* enerv. *i.* 21. minera *hi;* minima *ceteri.* 22. peccati *h solum.* 24. prophetare *ceteri.* 26. durabit *ceteri.* 27. discontinuam *i.* 29. regno *bcdf; ib.* est *om. h.* 31. Quecunque *bcg.* 32. 25 *pro* et 5 *ag; ib.* et in 5 decret. D. S. Quoc. *ceteri.* 33. 3 *om. abcef; ib.* Rom. *pro* Reg. *aeg.*

4. Matth. 10, 15. 8. Joh. 2, 13 seqq., Matth. 21, 12. 17. 4 Reg. 5, 27. 31. Corp. iur. can. I, 360, 361 c. 11, 12, 13, C. 1, 7, 1). 32. Corp. iur. can. I, 750 (V 3, 5). 33. 3 Reg. 13, 33, 34.

dicitur: 'Quicunque volebat implere manum Jeroboam fiebat sacerdos excelsorum.' Et sequitur: 'Propter hanc causam domus Jeroboam eversa est et deleta de superficie terre.' Illum ergo oportet vendicare vendicionem sacerdocii Christi, qui sic vendicavit vendicionem sacerdocii ydolorum. Et eadem consideracio est de ordinibus religiosorum, de universitatibus studiorum, et de inordinatis commutacionibus privatorum collegiorum. In omnibus enim istis oportet esse symoniam, cum exorbitant a lege Christi, et sic pravitas symoniaca est in eis kalende debilitacionis vel ruine future. Namque inter religiosos dicitur dona dei spiritualia illicite commutari; in universitatibus dicitur plus dolosos circa graciarum mercaciones, circa aulas et alia media communicari, ut de pueris pauperibus pretextu vendicionis peccunia plus subdole sit exhausta; in privatis vero collegiis dicitur personarum accepcio et peccatum edificancium Syon in sanguinibus laborare. Et cum omnia ista dissolvunt ordinem sancti spiritus et sic pacem, necesse est ipsa iuxta testimonium Christi Luce 11 desolari. 'Omne,' inquit, 'regnum in se divisum desolabitur et domus supra domum cadet.' Cum enim spiritus sanctus discipline effugiet ficticias, patet quod oportet regna sic in se divisa ex consolantis absencia desolari. Et cum oportet quemcunque, qui discordat a deo, discordare eciam a se ipso, patet quod una familia super aliam corruet et destruent sese reciproce. Et sic nichil plus destruit contractus et regna, ymmo ipsum Christianismum, quam heresis symoniaca, quia tollit graciam spiritus sancti, per quam continuarentur membra ad invicem et cum Christo. Ideo idem est seminare heresim in bona communitate et ab orto herbido humorem subtrahere, et per consequens eius virencia destruere in radice; et sic ve genti, ve loco et ve homini, qui nittitur in communitate seminare heresim symoniacam, defendere vel fovere.

Simoniacal abuses among religious, and in universities.

Possunt enim fieri raciones ad detestandum hanc heresim primo ex hoc, quod inpossibile est pacem vel salutem adesse Christiano, nisi ex bona voluntate ad mediatorem

Goodwill among men can only come from goodwill to Christ.

7. *pro* de: et *acdfgi; ib.* universalibus *g,* vīīta^{bus} *corr. ex* vīībus *a.* 10. causa tollende *pro* kalende *d al. m.* 11. ruine alias sentencie *b,* sentencie pro ruine *e.* 12, 13. universalibus *abfg.* 22. effigiet *a.* 23. ficticiam *i.* 27. contratas *h,* contractas *i.* 29. et *h solum.* 32. honorem *i.* 34. in comm. *om. h.* 36. *pro* enim autem *ceteri; ib.* struendum *pro* detest. *i.* 37. ubi *pro* nisi *h.*

20. Luc. 11, 17.

dei et hominum Christum Jesum, ut patet Luc. 2; sed hoc vicium maxime contrariatur bone voluntati ad Jesum, ergo ipsum maxime opponitur paci hominum et saluti. Minor patet ex factis Christi, qui pati venit humillime a Judeis et gentibus, et tamen severe exarsit nedum contra hoc peccatum, sed contra eius figuram, cum flagello de funiculis facto manu propria figurantes symoniam fugavit de templo, ut dicitur Joh. 2. Et flagellum illud figurat, quod committentes hanc heresim propter funes, quibus innodantur in ea, in secundo adventu Christi sunt insolubiliter flagellandi. Item proporcionaliter ut peccatum plus sonat ad dei contemptum, est ipsum amplius puniendum; sed huiusmodi est symonia, ergo etc. Namque symoniaci nedum vendunt iusticiam et graciam pro vili precio, ac si quis duceret ad forum pro vili precio iumentum et servum vendendum, sed Christum qui est persona iustissima, quantum in ipsis est, inhonestissime comedunt et consumunt. Et quantum ad primum notat Parisiensis, quomodo hii symoniaci excedunt Scarioth, qui in occulto vendidit veritatem personis gravibus in corpore mortali, sed symoniaci faciunt in toto contrarium tam quoad filium quam quoad spiritum sanctum. Sufficeret autem symoniacis, quod Christus semel venditus est pro nobis et ad passionem ductus, sed et ab illis comeditur, quia Joh. 2 dicitur post hoc factum: 'Tunc recordati sunt discipuli illud psalmi 68, quod de Christo dicitur: "Zelus domus tue commedit me." Ubi patet quod Christus alloquitur deum patrem pro iniquis sacerdotibus de sua ecclesia, quorum fervens invidia Christum comedit, quando eius vitam menciendo corrodit, vel quando Christum, qui secundum apostolum 2 Cor. 5 est peccatum, id est oblacio pro peccato, comedit in pinguibus oblacionibus fidelium et reddit plebi viaticum legis dei. Ad quem sensum exponit beatus Gregorius Omelia 17 super ewangelia illud Osee 4: 'Peccata populi mei comedunt.' Et istud est esus turpissimus, quia primo Christum

Simoniacs are worse than Iscariot.

1. ut *om. i.* 4. humiliter *ceteri.* 5. gentilibus *i.* 6. figuratum *bc.* 16. fines *h; ib.* innod. *i;* indurantur *ceteri.* 14. ergo *codices, puto autem* etc. *addendum esse ut p. 12, 9; ib. 1* nedum *om. adeg.* 17. prima iusticia *ceteri,* persona *al. m. corr. ex* prima *d.* 18. Et hoc quantum *ceteri.* 22. quoad *om. bdeg; ib.* sanctum *om. h.* 31. 2 *h solum exhibet.* 32. hoc est *ceteri.* 33. viaticum *i; in textu* matrem, *al. m.* viaticum *a;* matrem *dfg;* maciem *bceh.* 34. beatus *i solum.* 36. iste *ceteri.*

1. Luc. 2, 14. 8. 1 Joh. 2, 15, 18. 18. Cf. pag. 8 not. De Avaritia, pag. 73b. 25. Joh. 2, 17, 20. Ps. 68, 10. 31. 2 Corr. 5, 21. 34. Migne, l. c. 76, 1142 (8). 35. Osee 4, 8.

quasi evomendo eiciunt, et secundo quia membra Christi, que medicinaliter acute illos ex caritate arguunt, remordent in nomine ac corpore et corrodunt, et sic ubique remanet populus sic ut ossa arida sine medula et fortitudine spirituali.

Simony most directly opposed to God's law.

Item in quantum peccatum est magis contrarium legi et ordinacioni divine, per quam conquereret sibi ecclesiam de manu diaboli, de tanto est sceleracius; sed huiusmodi est symonia, ergo etc. Deus enim ordinavit legem, per quam pugiles sortis sue, id est clerici, asimilarent sibi laicos; sed isti est symonia directe contraria; ubi enim deus dicit Math. 10. 'Gratis accepistis, gratis date,' symoniacus defendit contrarium: quod non debet dare spirituale donum dei, nisi propter retribucionem temporalem vel comodum; et sic committitur blasphemia, apostasia, et omnia genera viciorum, et hec sunt directe contrarie radici virtutum; ideo nimirum symonia directe contraria tam virtuoso principio plus perdit de membris ecclesie. Ideo signanter dicit Petrus Act. 8: 'Peccunia tua tecum sit in perdicionem.' Ideo dicit Parisiensis, quod symoniacus nititur super Christum infringere hostium domus dei, quod figuratum est Genes. 19, quando Sodomite voluerunt infringere fores domus Loth. Hec autem periculosior est sodomia, quia circa rem plus sacram callidius comittitur ex sanctitate simulata iniquitas geminata. Et hinc Christus, custos et pastor ecclesie, dixit se esse hostium eius, Joh. 10, ad figurandum, quod pro pace domus dei servanda debet introitus prepositorum diligencius observari. Et hinc dicitur Joh. 20, intrasse ianuis clausis ad suos discipulos ad denotandum, quod contra symoniacos debet introitus prelatorum servari clausus. Et hinc Exod. 12 decrevit dominus utrumque postem hostii sangwine agni tingi, quasi diceret: Abiuro virtute sangwinis agni dei, qui illo sangwine

1. eiciunt *i;* eiciunt *al. m. a;* obiciunt *h;* abiciunt *ceteri.* 2. mendaciter *ceteri; in textu* mendaciter, *al. m.* medicinaliter *d.* 3. ac corpore *om. ceteri;* ac corp. *al. m. d; ib.* utrobique *ceteri.* 4. ut *i.* 7. *pro* divine: dei *adfg.* 9. ergo etc. *h solum, d al. m.; ib.* omnium *pro* enim *i.* 10. hoc est *ceteri.* 15. commituntur *bcd.* 16. et alia genera peccatorum *ceteri; ib.* sunt *i solum;* hoc est c. 17. contrarium *h.* 20. dicitur per Ysa. *afg;* dicit Pysa *de;* dicitur per Parisiensem *b.* 24. Sodoma *i.* 26. *in textu* genitiva, *al. m.* geminata *ag;* geminatur *i.* 27. eius *om i.* 29. dicitur *beh,* dicit *cd.* 31. contra *om. h.* 33, 34. tangi *fg; ib. in textu* abiuro, *al. m.* adiuro *a;* adiuro *i.*

12. Matth. 10, 8. 19. Act. 8, 20. 20. Cf. pag. 8, not. De Avaritia, pag. 73. 22. Genes. 19, 9. 27. Joh. 10, 7, 9. 29. Joh. 20, 26. 32. Exod. 12, 22.

redemit ecclesiam, ne quis intret in eam nomine pastoris, nisi sine simulacione in nomine huius agni; quod fit quando de carne et sangwine huius agni pascit oves, et instar Petri usque ad sangwinem amat eas. Et non obstante quod Christus nedum exponit se in medio hostii, sed ponit se hostium ad excludendum inhabiles, tamen subintrant fures et latrones et adulteri, qui furantur et spoliant thesaurum ecclesie, et quod pessimum est, procreant filios cum patrimonio crucifixi tam carnaliter quam spiritualiter, qui nimis perturbant pacem ecclesie, quia filios Belial alienos a deo pacis oportet generare discordias. Nec moveat, quod Christus est inpotens, quia permittit scurras sic intrare et contumeliis sic afficere sponsam suam, quia agens nunc secundum legem paciencie dat legem sapiencie et discipline, ponens in hominis libera potestate tam bene quam male facere. Sed veniet dies in qua rex furens contra maculantes sponsam suam severissime iudicabit. Nam, ut dicit Parisiensis, symoniacus nedum facit deum nutrire filios adulterinos, et filios diaboli permittere exhereditare filios suos de patrimonio crucifixi, sed deum permittit suo ydolo ymmolari et sine reverencia persone vel loci permittit symoniam committi; quando enim quis pro peccunia celebrat vel ministrat in officio, in quo spiritus sanctus datur, nedum facit peccuniam deum suum, sed ambas personas ymmolat ydolo quod sic honorat. Nec timetur ex presencia Christi vel angeli eciam ad altare committere symoniam, quod excedit pravitatem dyaboli, et hec minera est originalis causa refrigescencie caritatis. Quod notat Parisiensis figuratum fuisse per hoc, quod ignis sacrificii, qui per 70 annos captivitatis Babilonice vixerat sub aquis, extinctus est Anthiocho vendente sacerdocium Yasoni (2 Machab. 1 et 2). Nam sub aquis pauperiei et tribulacionis martirum latuit sanctus spiritus et vivificavit ecclesiam; sed postquam dotata est ecclesia, dignitas est venalis extinctaque

Simoniacal priests sacrifice God to an idol.

5. exposuit *a*, host. patrimonio sed *i.* 6. posuit *a.* 13. scurras *ghi*, feras *ceteri.* 18. cum dicit *i.* 19. Ys(aia)s *a;* Pysa *de;* Parysa *g; ib.* deum *om. abfg, al. m. add.* de. 19, 20. filios suos adult. *i.* 21. scilicet *pro* suos *bc.* 29. refrigencie *bc.* 30. *pro* fuisse: esse *ceteri.* 31. 70 *h solum.* 32. Matth. *ai;* 10 et 20 *i.* 33. ut dicitur 2 Machab. 1 et 2 *hic om., ante, v. 26, post* Babilonice *intercalatum est in ceteris codicibus; ib.* pauperii *h.* 35. vivificavit *ch, corr. ex* univit *de;* univit *ceteri.* 36. dotatur *adfg; ib.* est *om ch.*

19. Cf. pag. 8, not. De Avaritia, pag. 75[b]. 30. Ibid. 33. Machab. 1, 20.

Blindness of rulers.

est caritas iuxta propheciam Christi Matth. 24. Et non obstante quod tam crebro ex fide scripture dicitur dominis temporalibus huiusmodi periculum et tangitur eis medium facile, salubre, et prosperum, tamen deus huius seculi sic cecavit eos in causa dei pulvere temporalium et affeccione ad lucrum proprium, quod in causa dei vecordialiter sunt ligati, sed in causa diaboli ad debellandum Christianos gracia questus et fastus currunt precipites. Symonia itaque est causa, quare magna pars vocate ecclesie frustratim iacet emortua.

CAP. II.

Sophistical defences of simony. Definition of simony in the decretals.

Sed ut pestis predicta sit nocior, obicitur contra dicta. Videtur enim, quod descripcio symonie, quam dant leges ecclesie, sit studiosa voluntas emendi vel vendendi aliquod spirituale vel spirituali annexum. Quod fundatur super dicto pape 1, questione 1 Qui studet, ubi sic loquitur: 'Qui studet donum dei precio mercari in sacro ordine nulla racione de cetero permanere aut revocari posse, dubium non est.' Et quia posset sophisticando dicere, quod non emit spirituale sed temporale spirituali annexum, ideo ad removendum hunc fucum additur ultima particula 'vel spirituali annexum' iuxta legem pape 1 questione 3 Si quis obiecerit. Ex quibus videtur presumpcio suspecta descripcionem tam approbatam postponere, cum sanctus Thomas 2^a 2^e questione 5 et 8 ipsam approbat et declarat; hinc dicitur quod sensus descripcionis predicte est catholice deffendendus. Et cum hoc licet pro maiori declaracione variari in loyca quia sic variatur in logica scripture, nec vidi hanc descripcionem in lege ecclesie vel a sancto doctore expressam nisi forsitan recitative. Hec autem tota descripcio sonat in bonum, cum competit vendicioni et empcioni regni dei, licet glosa ordinaria decreti videatur dicere contrarium

1. que *om. abcd; ib.* est *om. fh.* 6. attencione *bcefg; in textu* att. *al. m.* aff. *a.* 7. recorditer *ch.* 8. debellandos *i.* 12. contra predicta *i.* 14. aliquod *om. adg.* 15. temporale spirituali *i.* 16. Qui st. *h solum exhibet.* 23. pape eadem causa *ceteri;* 3 qu. 3 *bc;* 1, qu. 3 *eh;* qu. 1 *ceteri; ib.* obiecerit *beh;* obicit *af,* obiecit *c.* 26. illam *pro* ipsam *h; ib.* hic *i; ib.* quod *om. i.* 32. et *al. m. d, om. ceteri.* 33. ordinaria decreti *om. ceteri, al. m. d; ib.* videtur *ceteri;* videatur *al. m. d; ib.* contr. super illo cap. Ordin. questione 1 in causa 1 *abi, eodem modo, sed om.* illo *cef, om.* cap. *d, om.* cap. Ord. *g.*

1. Matth. 24, 12. 16. Corp. iur. can. I, 360 (c. 11, C. 1, q. 1). 23. ibid. c. 7, C. 1, q. 3. 25. S. Thomas Aquinas, Summa, edit. Parmensis 1853, t. III, pag. 25 et 30, ubi vero de aliis tractatur rebus. De simonia autem agitur ib. quaestione 100, pag. 362.

1 questione 1 cap. Ordinaciones. Cum enim regnum dei tantum valet quantum habes, absit, quod ipsum posset emi pro peccunia, non tamen per se sed bona voluntate. Nec videtur aliquid emibile per se peccunia, possunt autem aliqui illicite tam emere quam vendere regnum dei, cum Christus, qui est regnum, fuit venditus a Scarioth et emptus a sacerdotibus 30 argenteis, ut patet Matth. 26; ipse autem est regnum dei, quod intra vos est, ut dicitur Luc. 17: ideo videtur, quod regnum dei inter illos mercantes symoniace fuit emptum et venditum. Nec dubium, quin studiose et valde meritorie potest emi ab homine et vendi a deo, sed non civiliter; ymmo videtur, quod illi, qui emunt omnia peccata divitis in ianuis vendunt symoniace regnum dei, sicut omnis prescitus agens meritorie secundum presentem iusticiam. Stat enim hominem vendere et emere illicite quod non habet; ymmo videtur, quod omnis peccans mortaliter emit ius ad dampnacionem vel penam perpetuam; quod cum sit valde spirituale, patet quod valde illicite emit illud. Ex quo videtur quod omnis symoniacus est hereticus et econtra. Si enim licet rapere regnum celorum, evidencius potest quis iniuste emere vel vendere regnum celorum. Et antecedens patet Matth. 11: 'A tempore baptiste regnum celorum vim patitur et violenti rapiunt illud.' Et in ista symonia videntur esse illi, qui vendunt illicite indulgencias et absoluciones a pena et culpa cum aliis spiritualibus suffragiis.

Secundo videtur descripcionem competere omni emp- This definition is too wide.
cioni vel vendicioni, quia omnis creatura est spirituale vel spirituali annexum, et tamen ex fide credimus quod apostoli, qui ex precepto domini cibos emerant, ut patet Joh. 4, non ex hoc commiserunt symoniam. Nam usura in deo est licita, sed nec creatori, nec creature licet committere symoniam. Ideo cum deus studiosissime

2. patet *pro* valet *i; ib.* quoniam *acg;* quin *e; in textu* quod non, *al. m.* quin *d;* quod *ceteri.* 3. possit *i; ib.* precise *h, om. fg;* precise *al. m. d,* per se *ceteri.* 5. possunt autem *eh;* poss. tamen *c,* licet poss. *ceteri.* 9. Et ideo *ceteri.* 10. dei *om. ceteri.* 11. Non *pro* nec *h.* 11, 12. quin — homine *al. m a.* 14. sibi *corr. ex* symoniace *dh,* symoniace *ceteri.* 15. agit *h.* 21. licet *om. d, al. m. h,* recipere *pro* rapere *c.* 22. evidencius licet iniuste *abcg; ib.* evid — celorum *om. c. al. m. add. e.* 25, 26. et *h solum;* et a culpa *i.* 28. *in textu* illa, *al. m.* creatura *d,* illa *pro* creatura *ceteri.* 29. et tamen *ce;* et cum *bdh;* cum *ceteri; ib.* et *pro* quod *g,* et *in textu, al. m.* quod *d,* quod *om. f;* quia *i.* 30. emerent *h.* 31. commiserunt *ag;* commiserant *ceteri.*

1. Corp. iur. can. I, 402 (c. 113, C. I, q. 1). Glossa legitur in editione Corp. iur. 1506, f. 117. 8. Matth. 26, 14, 15. 9. Luc. 17, 21. 23. Matth. 11, 12. 31. Joh. 4, 8.

vendit pro levi precio spiritualissima creaturis, patet quod dicta non est bona descripcio symonie; quod autem omne corpus sit spirituali annexum, videtur ex hoc, quod omne corpus est annexum iusticie que est spiritualissimum. Et ex isto videtur quod iudices et advocati illicite vendentes iusticiam, committunt crebrius symoniam. Omnes enim tales instancie tolluntur per hoc, quod symonia est inordinata volicio, nec concedo nec contradico huic sentencie, que dicit quod omnis iniuste mercans quantumcunque seculariter committit symoniam, in quantum emit vel vendit inordinate iusticiam. Symonia enim in sua generalitate ex equo consequitur ad mortale.

The word inordinata supplies what is wanting.

Tercio videtur descripcionem convenisse apostolis et cuilibet sacerdoti, cum commutant spirituale suffragium propter stipendium temporale, ut docet apostolus 1 Cor. 9 de lege dei debere fieri: 'Si, inquit, nos vobis spiritualia seminamus, non est magnum si carnalia vestra metamus.' Nec aliter staret ecclesia. Et idem videtur de sacerdotibus qui arte instant ut accipiant copiosum stipendium. Sed istud tollitur per hoc, quod symonia est inordinata volicio. Unde apostoli docuerunt in facto quod in illis fuit ordinata volicio, quia plus querebant salutem animarum populi, quam temporale stipendium, quia laboraverunt quandoque manibus et transitorie ac parce susceperunt elemosinas temporales a populo precise quantum fuit eis necessarium et utile populo ad spirituale ministerium rependendum. Unde videtur michi indubie quod quandocunque clericus intencione alia vel mensura, quam gracia spiritualiter edificandi populum, a populo benediccionem receperit, symoniacus est censendus, quia dignitatem vel ordinem inordinate commutat pro precio temporali; nec refert utrum mercacione vulgari vel quantumcunque tacite fiat illa commutacio, dum tamen

It is simony for a priest to receive more than he really needs,

1. *in textu* creacionis, *al. m.* creaturis *d*, creacionis *ceteri*. 3. tunc *pro* autem *h*. 5. Et *ante* ex *om. i*. 7. enim *om. h*. 8. contendo *pro* concedo *bc* 12. et ex *abfi*. 14. commutant *c*, committante *h*, commutans *ceteri*. 17. ministramus *pro* semin. *di*. 20. illud toll. *abcdgi; ib.* quod — volicio *al. m. h*. 22. anime *ceteri*. 23. quod *pro* quia *h;* laborant *h;* manibus propriis *d.* (propr. *al. m. add.*); in animabus proprie *h*. 24. parte *i*. 27, 28. quicunque cl. contenciose recipit, sym. *etc. a; ut a, sed* receperit *b;* intencione alia vel mensura qua gracia spiritualiter edificandi populum ordines receperit, symoniacus *etc. c;* intencione (vel mensura de temporali plus recipit sive a populo benediccet *in marg. al. m.*) *d; ut a, sed in textu* intencionem, *al. m.* contenciose *e; in textu* cler. intencionem recipit, sym. *etc., al. m.* cler. intencionem recipiendi dignitatem sacerdocii recipit sym. *f; ut a,* sed cont. plus *rec. gi;* quam gracia spiritualiter edificandi populum *in marg. al. m. h*. 31. comittat *h*. 33. illa *om h*.

15. 1 Cor. 9, 11.

sit dignitas vel inordinata intencio in sacerdote vel clerico; et sicut loquitur decretum Gregorii VII, questione *Ordinaciones*, interveniente quomodocunque prece, precio, obsequio vel aliquo temporali alicui persone impenso, ut persona que est inhabilis de facto consequatur dignitatem ecclesiasticam, committitur symonia. Et sic quicunque episcopus curatus vel presbiter preponderanter accipit illum statum propter honorem vel comodum temporale, est symoniacus et hereticus permanens in illa heresi quamdiu inhabilis ad suum officium servaverit illum statum. Patet ex descripcione symonie, et ista videtur sentencia beati Gregorii in Registro 1, questione 1, cap. *Si quis*, posita sub hiis verbis: 'Si quis neque sanctis pollens moribus, nec a clero populoque est vocatus vel pulsacione coactus, impudenter Christi sacerdocium iam quolibet facinore polutus, iniusto cordis amore, vel sordidis precibus oris, sive comuttatu, sive manuali servicio, sive fraudulento munusculo episcopalem seu sacerdotalem non lucro animarum sed inanis glorie avaricia fultus dignitatem acceperit et in vita sua sponte non reliquerit eumque in aspera penitencia mors non invenerit procul dubio in eternum peribit.' Ex istis patet ulterius, quod quicunque religiosus assumpserit dignitatem vel ordinem abbatis vel prioris, prelacie vel gradus religionis possessionate vel exproprietarie plus propter dignitatem aut prosperitatem mundanam, quam propter devocionem in paupere vita, ut mundum deserat, est anathema, quia symoniacus et hereticus in ingressu; nam omnis talis facit aliquam commutacionem illicitam per se vel alium, dando homini cifum, coclear, preces, vel spem comodi temporalis pro spirituali gracia merendi beatitudinem, quod est abiectissima symonia. Et creditur quod ab episcopo usque ad ruralem presbiterum

or to accept an appointment for which he is unfit, or which he takes from wrong motives.

1. sit illa dign. *i.* 2. Origenis *a*; Greg. *ceteri*, VII *om. h.* 3. Ordinaciones *dh*; Ordines *ceteri*; quacunque *i* 4. precio *om. ag*; pr. vel obs. *i.* 8. preponderaciter *i.* 12. vid. esse sent. *dgi.* 13. c. Si quis *h solum exhibet.* 14. *pro* neque *ceteri* nec. 14, 15. *in textu* populoque est, *al. m.* populo estque *a*; pop. estque *bceg.* 15. pulsative *bfg*; ib. inprudenter *dgi.* 16. iam *h solum*, in ea *e*, *om.* c, *ceteri* assumit; qui libet *aceg*; qui licet *b.* 17. sordibus. 19. sive *dfi.* 21, 22. eumque — inven. *in marg. al. m a.* 21. asperam *cef*; penitenciam *bcef*; penitencia corr. ex penitenciam *g.* 23. Et ex *bce.* 24. vel *ante* prioris *om. ceteri.* 30. se aut per *ag*; vel per alium *i*; *ib.* homini *i*; *al. m. a*, *om. ceteri*; *ib.* cifum *al. m ad.* 31. preces *om. i.* 32. emendi *i.*

2. Corp. iur. I, 402 (c. 113, C. 1, q, 1). 13. Corp. iur. can. I, 403 (c. 115, C. 1, qu. 1); cf. ibidem notam 1696: Haec neque in Opp. Gregorii VII, neque apud Greg. Magnum sunt inventa.

vel mendicum pauci vel nulli sunt presbiteri, qui non sunt symoniaca heresi irretiti; sed super pauperes, qui sunt in paucis et parvis heretici, currit blasfemia, capitales autem et maximi heretici per expensas seculares deludunt ecclesiam. Et ista videtur esse sentencia venerabilis Bede 1 questione 3 cap. *Non solum venditores*, ubi dicit sic: 'Non solum venditores sunt columbarum et domum dei faciunt domum negociacionis, qui sacros ordines largiendo precium peccunie vel laudis, vel eciam honoris inquirunt, verum hii quoque qui gradum vel graciam in ecclesia spiritualem quam domino largiente perceperunt non simplici intencione sed cuiuslibet humane retribucionis causa exercent contra illud apostoli: "Si quis loquitur quasi sermones dei; qui ministrat tamquam ex virtute quam administrat deus; ut in omnibus honorificetur deus." Quicunque ergo tales sunt, si nolunt veniente domino de ecclesia auferri, auferrant ista de actibus suis, ne faciant domum dei domum negociacionis.'

Evil caused by simoniacal priests and prelates.

Et ex istis potest cogittare cautus, quam intoxicata et excommunicata sunt regna per prelatos hereticos, quia symoniacos, et omnia genera sacerdotum. Nam super Aggeum prophetam dicit Jeronimus et ponitur 1 questione 1, cap. *Sic:* 'Sic populus iste hereticorum omnium est in conspectu meo, dicit dominus, omne quod fecerunt, quod michi obtulerunt, vel vota pro salute vel pacifica pro peccato vel holocausta sive elemosinas sive ieiunia vel corporis castitatem, contaminata erunt in conspectu meo. Quamvis enim sancta videantur specie sui, que offeruntur, tamen quia tracta sunt ab illo qui pollutus est in anima, poluuntur omnia.' Et idem patet in capitulo sequenti, *Odit deus.* Et racio communis docet, quod quicunque pregravatus mortali quicquid fecerit, peccat mortaliter, ymo videtur, quod tales non sunt sacerdotes nisi equivoce, dicente Gregorio 1 questione 1, *Quicunque:*

Simoniacs are not properly priests.

34. mendicum *dfgh*, modicum *ceteri*. 6. qu. 4[3] cap. Non solum venditores ut dicit: Non solum *etc. h;* ut dicit *abccfgh;* ubi *i*. 9. requirunt *h*. 10. *in textu* gloriam, *al. m.* gradum *d*, gloriam *ceteri*. 11. percipiunt *h*. 12. cum *pro* causa *abdg*. 19. ex *al. m. a, om. cfg;* tacitus *ceh*; cautus *al. m. corr. ex* cicius *d*, tactus *ceteri*. 20. per prel. regna *abfg*. 22. dominus *pro* Jeron. *h*. 23. cap. sic *h solum;* cap. *al. m. a.;* omni *h*. 24. quod mihi *h*. 27. *in textu* contempta, *al. m. contam.* a; contempta *fg*. 28. videantur *ch*, videntur *ceteri*. 29. offerunt *i; ib.* tracta *bch;* tacta *ceteri*. 30. idem *dh;* ideo *ce;* racio *ceteri*. 31. *pro* cap.: lege *ceteri; in textu* lege, *al. m.* cap. d. 32. quicunque *om. ceteri;* quicquid pregrav. *ceteri*. 34. Gregorio in principio casue prime *ceteri*.

6. Ibid. 417 (c. 11, C. 1, qu. 3). 13. I. Petr. 4, 11. 23. Corp. iur. I, 381 (c. 61, C. 1, qu. 1). 31. Ibid. 361 (c. 12, C. 1, qu. 1). 34. Ibid. 361 (c. 12, C. 1, q. 1).

'Quicunque sacros ordines vendunt aut emunt, sacerdotes esse non possunt. Unde scriptum est: "Anathema danti et anathema accipienti, hoc est symoniaca heresis." Quomodo ergo, si anathema sunt et sancti non sunt, sanctificare alios possunt? Quomodo corpus Christi tradere vel accipere possunt? Qui maledictus est, benedicere quomodo potest?' Ymo plus conduceret tales prelatos, ne benedicant vel ministrent ecclesiastica sacramenta, quia eadem questione consequenter sic dicit concilium: 'Non oportet hereticorum benedicciones accipere, quoniam maledicciones sunt magis quam benedicciones.' Quia Malachie 2 promittit dominus: 'Maledicam', inquit, 'benediccionibus vestris', hoc est, dicit decretum, quicquid a vobis benedicetur, per me erit maledictum. Quod videtur sic sane posse intelligi, quicunque cognoscit vel debet cognoscere vos esse symoniacos, et super hoc recipit a vobis aplaudenter benediccionem vel quamcunque aliam ministracionem episcopi, meretur ut sic maledicciones domini, quia contra mandatum domini Matth. 18. 'Sit tibi sicut ethnicus et publicanus', fovet et ungit talem oleo peccatoris. Quomodo ergo non vergeret tali opus tam malum mortaliter in dispendium, potissime cum aliquo sex generum consensus consentit heresi sic prelati? Et patet quam expers est regnum nostrum spiritualis suffragii propter symoniacam pravitatem.

It is lawful to ask promotion for one whom we know to be fit.

Secundo principaliter arguitur contra descripcionem predictam per hoc, quod iuxta illam non liceret precari pro quantumcunque habili ut promoveatur ad beneficium ecclesiasticum, et per consequens superflueret ymmo viciaret secularem patronatum acquirere vel habere, quod non liceret sibi aliquem presentare eo quod tunc

1. cunque *om. ceteri,* Qui sacerdotes *i.* 3. hec *h.* 4. anathematizati *corr. ex* anathema *a.* 5, 6. Quomodo — sunt *om. i.* 7. populus *pro* plus *bcdefg; ib.* condeceret *i.* 8. benedicerent, ministrarem *i.* 9. consilium *ch.* 12. inquit *om. ceteri.* 17. recipit *eh;* recipit *corr. ex* requirit *d;* recipit *ceteri.* 21. unget *e;* ungat *i;* vergeret *eh;* urgetur *f;* urgetur *corr. in* vergeret *d;* vergetur *f.* 22. tali *h solum,* tale *ceteri;* opus *ceh, et d corr. ex* onus; onus *ceteri,* moraliter *bce.* 22. mortaliter et quomodo corpus Christi tradere vel accipere possunt et dispendium *i.* 25. *in textu* officii, *al. m.* suffragii *a.* 28. licet *d;* liceat *i.* 28, 29. precari *h solum* (petere *d, om. ceteri*); qualitercunque *befg; in textu* qualitere. *corr. in* quantume. *d;* qualic. *ceteri; ib.* humili *pro* habili *a.* 31. et *pro* ymmo *fg,* et ymmo *c,* ymmo *al. m. d.* 33. *pro* quod: quia *ceteri;* aliquid *dfg.*

9. Concilium Laudicense, ibid. 381 (c. 66, C. 1, qu. 1). 12. Malach. 2, 2. 20. Matth. 18, 17.

homo posset mereri procurando quod presentetur. Hic patet quod falsum et contrarium supradictis concluditur, cum stat hominem licite prece vel precio amici cum sua ignorancia promoveri, cum aliter nemo flecteretur accipere ecclesiasticam dignitatem; tunc enim acciperet prece vel precio donum spirituale, hoc tamen est licitum habilitate supposita, cum aliter apostoli suscipientes apostolatum ad mandatum domini ut sic symoniace peccassent. Sed in isto purgandus est utrimque tam intellectus quam affectus: oportet omnino intellectum informari dono dei, ut superintendens sciat secundum legem scripture per Christi pascua ducere oves suas; oportet secundo quod evacuetur omne peccatum retardans ab isto officio et specialiter fastus, avaricia et peccata carnalia. Et oportet tercio quod assit fructuosa voluntas, que efficaciter et virtuose curatoris officium exequatur, sed quis est hic et laudabimus eum. Racio autem quare homo non debet in propria persona procurare sibi illud officium stat in isto: illud officium est infinitum periculosius anime quam aliquod aliud periculum corporale et sine tali onere posset magis proficere eciam omnibus quibus preest. Ideo invincibilis presumpcio est quod procurando sibi illud officium ydolatra percutitur symonia. Unde secundum leges homo qui foret aliunde habilis ad regendum in quantum sic procurat illud officium inhabilitat se ipsum. Et ista videtur sentencia Gregorii posita 1 questione 6, cap. *Sicut:* 'Sicut is qui invitatus renuit, quesitus refugit, sacris altaribus est admovendus, sic qui ultro ambit vel importunum se ingerit, est procul dubio repellendus. Nam qui sic nititur ad alciora conscendere, quid aliud agit, nisi ut crescendo decrescat, et ascendendo exterius, interius in profundo descendat? Itaque, frater carissime, in sacerdotibus ordinandis sinceritas vigeat, sit simplex

A man, otherwise fit is unfitted if he thrusts himself into office.

1. Hoc *ceteri.* 4–6. cum — precio *in marg. al. m. h.* 7. humilitate presupposita *i.* 9. peccassent *deh,* peccavissent *ceteri;* purgandus *cdeh; ib.* est error uterque *c;* utrumque *ceteri.* 10. *pro* omnino: enim *ceteri.* 11. omnino inf. *ceteri;* donum *h.* 15. quod *bh,* ut *ceteri.* 18. homo *om. ceteri,* propria *om. ceteri,* persona sua *ceteri.* 19. stat — off. *h solum exhibet, d in marg. add.* 20. aliquod *om. ceteri.* 21. honore *pro* onere *i; ib.* posset *eh,* potest *ceteri; ib.* perficere *i; ib.* ecclesia *pro* eciam *a.* 22. *in textu* inutilis, *al. m.* invinc. *d; ib. pro* quod: et *ceteri.* 23. ydolatrie *d.* 26. beati Gregorii *ceteri.* 27. cap. Sicut *om. ceteri; ib.* sicut ille *df.* 28. a sacris *b; ib.* ammovendus *bcdefh;* admov. *corr. ex* ammov. *a;* admov. *i;* ultimo *ag; ib.* ultro *corr. ex* ultimo *i.* 29. in oportunum *i;* vel ambigit ultimo vel inport. *b.* 31. ut *om. fg;* decrescit *dg;* decrescat *corr. ex* decrescit *a; ib.* int. et ext *h* et *al. m. d.* 32. descendit *d.* 33. *in textu* ut, *al. m.* sit *a.*

27. Corp. iur. I, 425 (c. 3, C. 1, qu. 6).

et sine venalitate consensus, proferatur pura eleccio, ut ad summum sacerdocium non suffragio venditorum provectus, sed dei credatur esse iudicio. Si autem peccunia promissa fuerit vel soluta, electo vel ordinato penitus ignorante, nec eo modo ad eleccionem vel ordinacionem pervenerit, ei nullatenus obesse videtur nec ad reatum criminis pertinet, cuius conscienciam non habuerit, nec ad eleccionis vel ordinacionis cassacionem pertinet, ad quam alias non per pravam illorum cupiditatem pervenisse docetur.' Nec valet cuiquam sophisticari cum deo prime ordinando vel ordinate volendo effectum consequi, quia dampnabiliter, nisi emendando et in complecione officii satisfaciendo purgaverit quod prius peccaverat; omnes enim sumus in inpetracione, in accepcione et in execucione beneficii ecclesiastici maculati, ideo non restaret nisi desperacio, si non posterius sequatur in perfeccione curati officii contrita purgacio.

How far a man is bound to give up a benefice obtained simoniacally.

Sed hic dubitatur, si beneficiatus symoniace teneatur bona pauperum restituere et beneficium illud dimittere. Et videtur quod sic, quia talis iniuste aufert bona pauperum et secundum principium Augustini non dimittitur peccatum, nisi restituatur ablatum, ut alias diffuse exposui et vallavi. Hic non est dubium, quin oportet omnem symoniacum de omnibus et singulis bonis ecclesie que recepit satisfacere vel dampnari. Et tunc videtur michi, quod nunquam satisfaciet licet satis pacietur tempore perpetuo et non ante eius finem complete. Et sic oportet de omni rege vel domino temporali, non oportet tamen quod det totum abusum clerico vel pauperi cui iniuriatus est, sed satis est quod conteratur de comissis et vivendo ex post virtuose satisfaciat domino capitali. Ipse autem non querit a nobis temporalia nisi quod restituamus suis pauperibus que illis sunt debita et utamur residuo

2, 3. *in textu* proventus, *al. m.* provectus *cd;* provectus *h;* proventus *ceteri;* dei corr. ex ed *a;* sed ei *fg.* 4. vel *al. m. a.* 5. nec *d,* ut *ceteri.* 8. cessacionem *h, in textu* cess. *al. m.* cassacionem *d;* cessionem *ceteri.* 9. non *al. m. a; ib.* privatam *pro* pravam *deh.* 10. cuiquam *om. ceteri; ib.* primo *ceteri.* 11. inordinante *i;* inordinate *ceteri.* 11, 12. vel — emendando *om. f,* consequi quia dampnabiliter nisi *h solum; d al. m. add.* 17. purgata contricio *b.* 19–21. et — proverbium *in marg. a.* 21. principium *cfgh;* proverbium *ceteri.* 23. quoniam *pro* quin *abcdg.* 25. perceperit *a;* ceperit *ceteri; ib.* dampnare *bcfg.* 26. faciet *corr. ex* faciat *a;* faciat *bceg,* facient *d.* 27. pacietur *corr. ex* paciatur *a,* paciatur *g; ib.* in tempore *ceteri; ib.* non *h solum exhibet.* 28. patet *pro* opp. *d,* apparet *h.* 29. *pro* tamen: autem *ceteri.* 30. ad usum *df.*

3—10. Si autem — docetur *Gratiani verba sunt.*

He must resign if he knows himself unfit for the work.

in suo servicio. Et patet quod ad satisfaccionem clerici symoniaci, qui sentit se inhabilem ad occupandum illud officium, requiritur beneficii resignacio, quia aliter continue perseverat symoniacus et per consequens hereticus obstinatus, committit enim continue symoniam ex commutacione rei temporalis et dignitatis prelati, quam cum gratis continuat, non satisfacit excuciendo heresim, sed in prima inhabilitate contumaciter perseverat. Si autem prius habilis a casu fiat inhabilis, de iure soli ecclesia tenetur sibi providere in vite necessariis, proviso omnino, quod ecclesia de perficiente curati officium non privetur. Nec pensanda est talis habilitas penes humanum arbitrium sed penes legem quam spiritus sanctus edidit in suo apostolo, ut diffuse patet alibi De Officio Episcopi Et Curati. Nec sine hoc cognoscitur symonia.

We may desire the work of a bishop, but not the dignity; still less may we desire sinecures or pluralities.

Secundo dubitatur, si licet prelaciam appetere, et videtur, quod sic, quia ille est status perfectus quo nemo utitur nisi volens, nec licet mentiri propter devocionem vel mandatum legis aut domini. Et confirmatur ex diffinicione apostoli Thim. 3 dicentis: 'Qui episcopatum desiderat, bonum opus desiderat.' Hic dicendum est secundum Crisostomum Omelia 18 Operis Inperfecti: In talibus nominibus est duo considerare, scilicet ministerium et dignitatem. Primum est desiderandum, ut signanter dicit apostolus, sed secundum est fugiendum, at multo magis sine officio dignitas, que est mendacium discipuli antichristi, et omnino duplicata dignitas ex temporalibus adunatis, quia hoc foret inordinate gaudere de monstrositate ordinacionis domini, quod defleret. Et patet quomodo intelligende sunt leges et dicta sanctorum in ista materia. Nam honorem temporalem et specialiter ex affidacione copiosa temporalium debet homo nolle sed dolere continue. Et patet quante prelati ecclesie per

6. *in textu* quando, *al. m.* quam *a.* 7. *in textu* contineat, *al. m.* continuat *ad,* contineat *fg;* ib. satisfaciat *cef.* 9. iure seculi soli *c,* soli *gh,* sola *ceteri.* 11. *in textu* animo, *al. m.* omnino *a;* omnino *cgh;* animo *ceteri;* ib. proficiente *c.* 14. *pro* suo: sancto *ceteri.* 17. sic quia *al. m. h.* 18. nisi volens *al. m. h.* 21. dicendum *corr. ex* dictum *a;* dicendum *i;* dictum *ceteri.* 22. 28 *h.* 25. hic fugiendum *abcdefg.* 26. dignitas *h solum;* dignitatis *ceteri.* 27. omnino *h, in textu* ideo, *al. m.* omnino *d, pro* omnino: ideo *ceteri; ib.* duplicata *al. m. corr. ex* duplicatur *d.* 32. *in textu* affidacione, *al. m.* dotacione *c; eodem modo* rectificacione *d.* 33. quante *afg;* quanti *ceteri.*

14. V. Addenda. 20. I. Tim. 3, 1. 22. Locum hic citatum neque in homiliis 18 et 28. Operis Inperfecti (Joannis Chrysostomi Opp., t. VI in Migne, Patrologia, Patres Graeci) neque in homilia 10 in Epistolam I ad. Timoth. cap. 3, v. 1 (ib. t. XI, pag. 547) inveni.

dotacionem temporalium subvertuntur, quia tam officium quam affeccio ab ordinacione quam Christus instituit est perversum. Nam temporalia annexa et honores mundanos studiose appetimus, sed humile et simplex ministerium, quod Christus instituit, abhorremus; affectare autem copiosam adiacenciam temporalium, ut largius ministretur egentibus, est studiose appetere officium laicale, nec cessabit symonia ecclesie antequam ista fuerit separata.

We may not go to Rome to get benefices.

Tercio dubitatur, an liceat adire curiam Romanam pro beneficiis ecclesiasticis acquirendis, et videtur quod non, quia quicunque sic ierit habet studiosam et inordinatam volucionem bona spiritualia pro temporalibus commutari. Quicunque sic fecerit est symoniacus, ut patet ex dictis, ergo etc. Quis, inquam, magis studiose vel periculose laborat, quam talis Romipeta, nec potest ulla tergiversacione celari, quin facit hoc plus propter temporale commodum, quam propter meritum, vel ut spiritualiter proficiat animabus. Non dubium quin importune se ingerit quia ut dicitur non est aliqua sollicitudo hominis plus continua vel corporaliter aut mentaliter inquieta. Et patet quod talis se ingerit, quia sit quantumcunque inhabilis et non est beneficium sue contrate propter magnitudinem cure quod refugit, si sit pingwe. Sed cura parvipensa de quanto pinguius, de tanto accepcius. Cum ergo secundum legem predictam beati Gregorii quilibet talis sit procul dubio repellendus, sequitur quod quilibet talis sit inhabilis ad curam vel regimen animarum. Dimitto autem alias privatas mercandias illicitas quas facit cum cardinalibus et eorum cubiculariis, cum suis complicibus, sed certe scio quod obiciens se dando occasionem personis gravioribus, ut maior heresis symoniaca committatur, de tanto magis criminose se ingerit. Nec est racio, quare lex papalis lucrum sapiens debet credi, doceri, et defendi ut ewangelium, quin per idem et maius dictum sanctorum et specialiter huius pape sanctissimi in materia

2. ordine quem *ceteri*. 6. copiosam adiacenciam *h;* copiosam ad aliquam *ac;* copiosam *bg; in textu* copiam aliquam, *al. m. ut h: d;* copiosam ad aliam *ef*. 8. cessat *h*. 9. si licet *ceteri*. 12. commutari *ef;* commutandi *di*. 14. Gregorii *pro* ergo *h*; etc. *om. h; ib.* aut *pro* vel *bdgi*. 16. celari *h solum;* cessari *ce* (*e al. m.* cassari); cessare deleri *d;* cessare *ceteri; ib.* quondam *pro* quin *e*, quando *g*. 17. *pro* commodum; lucrum *ceteri*. 18. *pro* non: nec *ceteri; ib. in textu* oportune, *al. m.* inportune *a;* oportune *f;* inoportune *i*. 20. aut corp. vel ment. *abdfg*. 21. si sit *bdei, a al. m*. 23. *in textu* quia, *al. m.* quod *a*. 25. beatus Gregorius *i*. 26. sed *pro* sequitur *i*. 26, 27. quelibet *h*. 28 mercancias *abcdei; ib.* fecit *a*. 29. cum eorum *ceteri i*. 30. *pro* se: de *ce*, et *ceteri*. 31, 32. committitur *ce*. 33. capiens *d*. 34. magis *d*.

de symonia in ewangelio fundatum. Nec est racio, quare licet laborem corporalem impendere, dictando personam racione ecclesie Romam adire, quin coloracius licet persone plus habili conferre domi patrono tantum temporale quiecius, cum occupacio domi quieta ad ministerium dei plus disponit.

In isto videtur, cum nemo sumit sibi honorem sed qui vocatur a deo tamquam Aaron, quod sive clericus vadat, sive mittat eciam rotulis studiorum ad papam pro beneficiis ecclesiasticis, ut sic se ipsum ad ministerium dei indisponit. Multi tamen tam scolastici, quam simplices presbiteri post talem heresim symoniacam per viam contricionis et ministerii sui complecionis ex dei gracia sunt purgati. Sed reddeundo ad dubium principale videtur michi indubie, quod periculosum est dominum secularem vel quemcunque alium patronatum ecclesiasticum occupare, quia nisi preficiat plus habilem, vel saltem prudenter illud intenderit, dampnabiliter cadit a patronatus dominio; quod si propter peccuniam vel corporale ministerium, propter humanum favorem ut consangwineitatem vel affinitatem, adulacionem, vel rogatum hominum postponit plus habilem quo ad deum, ve homini patrimonium Christi sic occupanti; unde difficile et expers lucri mundani est tale patrimonium meritorie occupare.

Danger of holding patronage.

Tercio principaliter arguitur contra predictam descripcionem per hoc quod omnis symonia videtur esse opus extrinsecum, non ergo est generaliter inordinata volucio. Confirmatur primo per hoc quod aliter contingeret hominem inordinate volendo prelaciam ecclesiasticam peccare tam graviter, sicut addendo opus symoniacum, quod est contra racionem et penas taxatas pro crimine. Secundo confirmatur per hoc, quod omnis symonia est heresis, omnis heresis est docma falsum scripture sacre contrarium pertinaciter defensatum, ergo omnis symonia est huiusmodi, quod non competit actui volendi. Tercio confirmatur per hoc quod nullum peccatum est actus volendi vel aliquod positivum, omnis symonia est peccatum gravissimum, ergo nulla symonia est volucio. Hic dicitur quod scola theologorum equivocat tam in nomine

Our definition objected to, on the grounds, *a*) that simony is an act, not a volition; *b*) that it is a heresy, which an act of the will cannot be; *c*) That as a sin it is negative, but an act of the will is positive.

1. ex ewangelio *ceteri.* 2. ditando personam Romane ecclesie ad decem quin *h.* 4. tantum enim temp. *i.* 8. in rotulis *ceteri.* 9. ipsum *om. ceteri.* 14, 15. dominum secularem *ceh*, dominium seculare *ceteri.* 17. saltem *om. h.* 19. *in textu* dominium, *al. m.* minist. *a; ib. pro* ut: propter *ceteri.* 20. vel *ante* aff. *om. ceteri.* 22. patrimonium Christi sic *ceteri; h in ras.*, patrimonium taliter *ceteri.* 24. predictam *om. ceteri.* 26. volicio *ceteri.* 27. enim *pro* primo *h*; *ib.* contingeret *corr. ex* contineret *ad*, contineret *begi.* 36. aliquod *ch;* aliud *b;* aliquid *ceteri.* 37. volicio *ceteri.*

peccati quam heresis; vocat enim heresim symoniacam nunc voluntatem et nunc commercium inordinatum procedens ab illa. Nec est opus ad extra culpabile vel meritorium, nisi de quanto procedit ab inordinata vel bona voluntate. Et patet quod falsum assumitur; licet homo equivocando vocet symoniam opus extrinsecum, ad primam confirmacionem dicitur quod verum assumitur: unde Symon heresiarcha, de quo Act. 8 non legitur illud donum dei de facto emisse, sed inordinate emere voluisse. Verumtamen communiter perpetrando opus extrinsecum generatur inordinata volucio et additur multipliciter novum genus peccati, quod quia sensibiliter plus nocet ecclesie, ideo plus apud homines est punitum, sed communiter minus quam debet. De illa materia quomodo extrinsecum aggravat peccatum, dictum est alibi. Quo ad secundum concedi debet conclusio. Nam nichil est magis contrarium sacre scripture, quam inordinata prefeccio persone inhabilis, ut patet alibi, quia ut sic cassatur dei ordinacio in radice, ideo tam active quam passive symoniacus est capitalis hereticus, et specialiter ille, qui docmatisat per bullas tali inhabili esse beneficium ecclesiasticum conferendum, ymmo ille qui docmatisando illud exequitur, ut communiter sunt notarii et alii vocati iuriste, qui inordinate hoc promovent. Cum enim quelibet res dicit se, habens symoniam eciam absconsam in anima ut sic false docmatisat scripture sacre contrarie et defendit symoniam suam sub aliquo gradu pertinacie eciam si precise symoniacus sit per instans. Unde nulla conclusio inculcatur crebrius in lege ecclesie vel sanctis doctoribus quam ista, quod symonia est heresis, de quo gaudeo propter alia que secuntur.

Answer: *a*) Acts are good or evil according to motive.

Example of Simon Magus.

b) Simony is heresy and against God's law.

Quo ad tercium dicitur quod katholicus loquitur equivoce de peccato vel formaliter vel deformaliter, et sic omne peccatum est defectus et non aliqua creatura vel materialiter, et sic actus vel habitus inordinatus dicitur peccatum, ymmo peccatum aliquando accipitur pro subiecto

c) The act is positive but it is always attended by the defect of sin.

1. enim *om. df; ib.* symoniam *h.* 2. inordinata *corr. ex* inordinato *d;* ad inordinate *g;* inordinato *i.* 11. v. licio *ceteri.* 12. *in textu* nomen, *al. m.* novum *a;* nov. *om. f;* quod *om. bdei.* 13. punitum *al. m.* expositivum *corr. a.* 14. que *pro* quomodo *i;* quom. opus extrins. *d.* 18. igitur quia *ag.* 22. illud *fh,* idem *ceteri.* 25. absconditam *i.* 27. contrarium *i.* 28. precise *ch;* per se *pro* precise *abfg;* precise *corr. ex* per se *de; in textu* prec., *al. m.* per se *i.* 31. *pro* gaudeo: transeo *abdfgi.* 32. Quo *om. h;* dicitur *om cdfg, al. m. a;* theologus *al. m. a;* theologus *i.* 33. sive *pro* vel *i.* 34. ab aliqua causa vel *ceteri; d in textu ut ceteri, al. m. ut h;* materia *b.* 36. capitur *ag,* sumitur *c.*

8. Act. 8, 18.

vel hostia pro peccato. Sed quia animi actus sunt nobis notissimi et per consequens necessarium est ecclesie habere noticiam de symoniaca heresi, ideo racionabiliter de ipsa loquitur ut est actus, ipsum autem actum concommittatur inseparabiliter tam defectus peccati, quam habitus viciosus. Unde, ut narrat Parisiensis, symonia sicut lepra de difficili curatur; primo quia illud crimen est profundum, subtiliter vallatum cautelis diaboli, per hoc enim principaliter seducit populum; secundo quia oportet resignare beneficium quod symoniacus acquisivit saltem durante inhabilitate persone ad illud officium; illud autem est valde difficile, cum maior pars cleri possessionati vel omnes dimitterent possessiones suas in manus laicas, vivendo secundum statum quem Christus instituit in ecclesia primitiva. Sed tantum invaluit hec lepra in clericis quod pocius perderent corpus et animam in Jehennam. Unde symoniacus est quasi piscis captus in vasis diaboli, qui propter continuam inundacionem peccati non redit per foramen quo ingressus est nec sufficit rethe rumpere, vel capturam evadere aliunde; ideo talis habet quasi unum pedem positum in inferno. Ideo signanter dicit sapiens Ecclesiastes 4: 'Custodies pedem tuum ingrediens domum domini'; et Jerem. 17: 'Peccatum Juda scriptum est stilo ferreo et ungue adamantino, exaratum super latitudinem cordis eorum.' Juda, quod interpretatur confitens, signat clerum nostrum qui confitetur se nosse deum pre aliis et sequi eum in conficiendo eukaristiam ac in multiplicata oblacione pro elemosinis vivorum et mortuorum, quas monstruose receperant; et nunquam est falsior confessio, cum mendaciter factis negant; ideo nimirum dicitur illud peccatum symoniacum profundum et latum quasi indelebiliter esse scriptum. Quis enim potest corda tam late cauterisata sanare? Nobis est inpossibile, cum clerus sit cor populi, quod non licet nobis attingere, et ut dicit apostolus, 1 Thym. 4. "cauteriatam habent

Difficulty of putting an end to simony.

1. hostia *om. i;* sed *al. m. adg, om. bcef; in textu* cum, *al. m.* animi *a;* cum *pro* animi *e.* 2. consequens *a solum.* 4. ipso *h.* 14. suas *a al. m., om. ceteri.* 15. ut in *ceteri,* ut *deletum g;* *ib. in textu* primeva, *al. m.* primitiva *g;* primitiva *ch,* primeva *ceteri.* 23. ingrediendo *i.* 25. et cum ungue *h.* 26. quod *corr. ex* qui *g;* qui *ceteri.* 27. Christum deum *f.* 31. cum mend. *ch,* quam cum mend. *ceteri.* 32. profunde et late *ceteri.* 36. 1 Thym. 4 cauteriatum, *corr. ex* cauterisatam *a;* cauterisatam *bcdgh.*

6. Cf. pag. 8, not. Ibid. 75[b]. 23. Eccles. 4, 17. 24. Jerem. 17, 1. 36. 1 Tim. 4, 2.

conscienciam", ac si instar unguis secundum mundiciam remitteret ita quod ypocriosa cauterisacio stilo ferreo in superfluitate digestionis modo ultra debitum excrescente et longa lataque dilatacio que tantum infigitur facit quod pauci simplices sunt in ista materia exauditi. Scio tamen quod oportet ad sanacionem symoniacam, quod superfluitas ungwium sit abrasa.

Cap. III.

What parts of the Church are infected with simony. 1. The pope and his court.

Ulterius restat particularius gradatim descendere ad partes ecclesie ut videatur si contrahunt symoniam, et primo si papa vel sua curia posset symoniam committere. Et videtur quod non, quia nec papa posset inifici predicta heresi, nec in presencia sua posset committi, quia licet veris dominis de suis ad votum accipere et multo evidencius licet sibi parcius ad gubernacionem sponse sue de collatis recipere. Sed papa est dominus principalis omnium bonorum ecclesie sue, ergo licet sic sibi bona sponse sue tractare, nichil ergo de bonis sponse sue ad quod ipse licençiat symoniace est mutatum; hoc enim est causa, quare deus non potest committere symoniam. Hic dicitur primo, quod papa cum curia sua potest facilime committere symoniam; conclusio patet de facto, quoniam multi pape erant symoniaci et exinde depositi, ut recitavi alias ex multis cronicis. Et hic idem patet per leges papales multiplices ut distinccione 23, *In nomine domini;* distinccione 4, *Si papa;* distinccione 79, *Si quis peccuniam.* Et idem patet 19 distinccione, *Anastasius* et 17 distinccione, *Nunc autem,* et distinccione 47, *Non est facile* et sequente *Nos qui presumus,* distinccione 24, questione 1, *Sunt quidam.* In omnibus

The pope can commit simony

1. secundum *h, corr. ex* sed *dg;* sed *ceteri.* 2. reniteret *ghi,* remitteret *ceteri; ib.* impressa cauteris. *i, al. m. adg, om. ceteri.* 3. modo *h in ras.,* tercio *bdef,* tercie *ceteri.* 4. lata est *cf;* que *al. m. a, om. defh;* dillacio *cf.* 5. facit *h solum,* clero facit *al. m. g; ib.* pauci simpl. *gh,* pauci nisi simpl. *ceteri;* non sunt in illa *g.* 6, 7. ad *om. bcdef, al. m. add. ag;* sanari symoniacum *pro* sanac. sym. *ce.* 9, 10. ad partes eccl. *al. m. dgi, om. abcēf; ib.* si contr. *ch; in textu* si, *al. m.* qui *e;* qui *ceteri.* 11. Et *ante* primo *om. h; ib.* et sua *a;* posset *h, al. m. g,* potest *ceteri.* 12. non quia *om. bcdg, al. m. a; ib.* potest *ceteri.* 13. potest *ceteri.* 16. sponse *al. m. deg.* 16. sic *om. de,* sibi *om. acf, al. m. g.* 19, 20. mutatum *cefh, corr. in* mutuatum *a,* mutuatum *al. m. d.* 20. causa *al. m. adg, om. f.* 22. conclusio patet *dh;* concl. *al. m. g,* concl. *om. ceteri.* 24. hoc *ceteri.* 29. seduci *corr. ex* sequente *d,* sequentem *i.*

1—5. Huius loci sensum plane interpretari non possum. 26. Corp. iur. I, 77 (c. 1, D. 23); ibid. 146 (c. 6, D. 40). 27. Ibid. 278 (c. 9, D. 79). 28. Ibid. 64 (c. 9, D. 19), 71 (c. 7, D. 21). 29. Ibid. 145 (c. 2, D. 40). 30. Ibid. 145 (c. 3, D. 40); ibid. 1008 (c. 6, C. 25, qu. 1).

istis locis et multis eis similibus reperies, quod papa potest esse symoniacus, hereticus, et viciatus omni genere peccatorum. Ideo audacter assero cum apostolo, quod papa est antichristus et extollitur super omne quod dicitur deus, si non potest committere symoniam; quia tunc non potest peccare, cum ad istud peccatum sit pronior, et sic non potest ab ordinacione divina disgredi; relinquitur quod extollitur supra deum, nam tunc posset inpeccabiliter adversari ordinacioni divine, quod non posset, nisi foret superior deo nostro. Et secundum apostolum Thess. 2, antichristus in istam blasfemiam extollitur, ideo dicit quidam, quod ille est summus magister heresis symoniace, et ab eius scola et loco ut fonte hereses symoniace late per orbem scaturiunt.

and that in three ways: 1. by love of pomp and worldly dignity;

Supposito ergo quod ipse cum collegio suo posset esse symoniacus, videndum est quomodo triplici via posset committere symoniam. Primomodo propter fastum et questum ad dignitatem illam monarchicam aspirando; nullus quidem status ecclesie est periculosior, quia si non propinquius sequitur Petrum et Christum in vita, sed disgreditur, non apostolicus sed apostaticus est habendus. Talis igitur, qui propter honorem vel lucrum mundanum aspirat ad illud fastigium, in primis quo ad se ipsum blasfema heresi est percussus, sed quia illud posset esse mundo absconditum, ideo negligencia ministrande ecclesie instar Christi et Petri apostoli et declinacio ad vitam seculi sunt illius heresis papalis manifestum indicium.

2. by inventing unchristian traditions for the sake of gain.

Secundum genus heresis symoniace ex ista germinans est velle multiplicare tradiciones que lucrum sapiunt, ad onus ecclesie et sunt implicite legi Christi contrarie; qui enim sic facit, inordinatissime committit spiritualem dignitatem propter appetitum commodi temporalis. Exemplum istius ponit quidam ex lege Boni-

2. symoniacus *i, al. m. a, om. ceteri.* 3. audenter *ceteri; pro* aspiro: assero *df.* 4. *pro* est: dicitur *h.* 7, 8. degredi *a.* 8. supra *gh,* super *ceteri.* 9. inpeccabiliter *egh, corr. ex* inpeccanter *d,* in peccanter *ceteri.* 12. quidem *ch,* ipse *pro* ille *ceteri,* est *om. bef.* 14. *in textu* loco *al. m.* late *a.* 15. scaturierunt *agi.* 16. possit fieri *d.* 18. *in textu* posset, *al. m.* potest *dgh,* potest *e; ib.* modo *om. ad.* et *pro* vel *ceteri.* 20. quoniam *b,* qua *cf.* 23. igitur *ceteri, al. m. pro* ergo *g.* ergo *ceteri,* qui *om. i.* 27. instruende *bcde,* instituende *afi, in textu* instituende, *al. m* ministrande *g.* 28. istius *ceteri; ib.* populis *corr. ex* papalis *e,* populis *ceteri.* 33. commutabilem *abfi, in ras. g, correctum in commutat d,* commutat *ceteri.* 34. apparenciam *defgh.* 35. quidem *ch.*

11. 2 Thess. 2, 4.

facii VIII, posita in 6. decretalium De Donacionibus, *Si duobus*, ubi videtur statuere quod provisio per papam multis personis secundum eandem datam de collacione, eadem persona, que prius presentaverit, prefertur. Ubi patet, ut sepe deduxi, quod sequitur: si persona in casu isto prius presentaverit processum episcopo, debet preferri in gracia, sed Petrus aput deum indignus et prescitus discolus prius presentat processum suum episcopo, quam Paulus predestinatus et habilis aput deum, ergo ipse Petrus debet preferri in gracia. Cum autem minor illius argumenti contingit communiter, quia Judas non dormit sed dolose laborat et vigilat propter lucrum, suppono veritatem minoris. Et tunc patet quod conclusio est heretica et minor supponitur esse vera, forma quoque bona relinquitur, maiorem que est lex pape esse hereticam. Non enim consonat legi beati Gregorii, 1 questione 6, cap. *Sicut is*, sed manifeste dissonat, quod quia Petrus inportunius prosequitur quam Paulus pro dignitate habenda, ideo preferetur revera. Episcopus, qui eundem ex hinc prefert Petrum, deceptus fallacia, secundum non causam ut causam conferendo inhabili, manifestat se esse discipulum antichristi: manifeste autem sunt leges huiusmodi, quia omnes tradiciones humane que non fundantur originaliter in scriptura, nec valent subterfugia in ista materia, ut hii blasfemant, quod eo ipso quod Petrus prius presentaverit virtute legis papalis est magis habilis, quia sepe virtute legis dei est minus habilis. Et cum lex dei sit in tali casu legi papali contraria, oportet illam tanquam hereticam, quia a veritate dimissam, succumbere; hii autem blasfemant, quod propter plus bonum venturum error peccati debet fieri, contra apostolum Rom. 3, et hii dicunt declaracionem esse paparum

4. prius *al. m. adefgh, om.* c, preferetur *h.* 7. in gracia *corr. ex* magis *a*, magis *f.* 8. presentavit *i.* 9. habilis ap. deum *ceteri.* 11. istius *i;* contingit *corr. ex* concludit *ag*, convenit *b*, sic contingit *d.* 12. *ante* dolose: sed *corr. ex* et *gh*, et *ceteri.*. 13. supposita veritate *i;* supposita *in ras. a; ib. pro* tunc: tamen *ceteri.* 13, 14. consequens est hereticum, conclusio in margine *i.* 18. *pro* inportunius: impe'ius *c; in textu* in peius, *al. m.* impetosius *d; in textu* plus, *al. m.* peius *g*, in peius *ceteri.* 19. eundem *corr. ex* unde *a;* unde *gh.* 24. sacra *ad* script. *al. m. add. dg.* 25. sed ut *abefi; ib.* blasfemant, quod eo ipso quod *bdh*, quod ipso *al. m. g, om. ceteri.* 26. presentaverit *gh*, presentavit *ceteri.* 27. Et *om. h;* cum lex dei sit *al. m. h.* 29. a veritate dissonat divisam *abdfg, pro* dimissam: divisam *ce*, dissonat *ceteri.* 30. plus blasf. *h, al. m. dg, pro* plus: magis *ceteri.* 31, 32. apostolum *om.*, contra Rom. 3 *al. m. in lacuna a.* 32. esse *om i.*

1. Corp. iur. can. II, 943. VI Decret. I, 3 (De rescriptis), 14 (Duobus super provisione). 2. 'provisio' pro 'provisione facta' dictum esse puto. 17. Ibid. I, 425 (c. 3, C. I, qu. 6). 32. Rom. 3, 8.

sequencium, quod dignior quo ad graduacionem scolasticam debet preferri. Sed nec hoc evacuat legis blasfemiam, nec iustificat declaracionem papalem, cum sepe non graduatus sit sanccior et habilior ad regimen animarum.

3. by presenting curates for worldly reasons.

Tercium vero genus heresis symoniace, quod potest papam contingere est inordinata volicio preficiendi curatos ecclesie propter comodum temporale et illa symonia infinitis modis potest nimis late Christianismum inficere. Et per ista patet solucio ad primam conclusionem Luciferi negando ipsam ut summe hereticam. Et quantum ad racionem informem patet, quod solus deus est dominus qui peccare non potest, cui competit quomodocunque voluerit uti suis. Et quantum ad minorem patet, quod papa existente iusto habet titulum ewangelicum ad usum omnium temporalium ecclesie militantis, nec est pompandum de isto quia quilibet conversans ipso iustior habet titulum veriorem, sed preter hoc titulum serviendi ecclesie ministrandi, gubernandi et dispensandi secundum ewangelium bona ecclesie, quod est valde alienum a manerie dominandi. Et in isto potest papa errare faciliter quia predicare sacramenta, ministrare et orare est papale officium, sed dispensare vel ministrare temporalia est inferius levite ministerium vel officium laicale, et patet quam nude assumitur quemlibet Romanum episcopum habere sanctam ecclesiam sponsam suam. Cum enim non sit Christus, qui solus est sponsus ecclesie catholice, pape est dubium, ut aliis secum viventibus, nedum si sit capitalis, ymmo si sit membrum alicuius ecclesie, quia solum predestinatus est membrum ecclesie sancte matris, ut hic supponitur. Videat ergo papa quomodo Christus et Petrus eius vicarius intromiserunt se de temporalibus bonis ecclesie, Christus enim dixit Luc. 12: 'Quis me constituit iudicem aut divisorem super vos?' Et Act. 3 dicit Petrus: 'Argentum et aurum non est michi, quod autem habeo hoc tibi do.' Oportet autem papam esse dispensatorem celestis thesauri ut gracie et virtutum, non stercorum.

2. vacuat *bc, corr. in* evacuat *a*. 3, 4. graduata *i*. 4. *in textu* superior, *al. m.* sanccior *dg;* superior *ceteri*. 7. ista *ceteri*. 8. christianissimum *ac*. 17. *pro* virtuosus: conversans *c; in textu* conversans, *al. m.* virtuosus *d*. 18. hoc habet *ceteri*. 25. *pro* episcopum: pontificem *ceteri*. 27. ipsi *al. m. ante* pape *dg*. 29. *pro* corporalis: capitalis *i*. 31. Et videat *i*. 32. Petrus *al. m. g, om. ceteri; ib.* se *om. h*. 34. aut *gh*, ac *ceteri*. 35. enim *corr. ex* autem *cg;* enim *h*.

33. Luc. 12, 14. 34. Act. 3, 6.

Et patet, quod papa contendendo contra collacionem vel dominacionem bonorum fortune degenerat, et per consequens est argumentum topicum quod si papa vendicat de bonis ecclesie tale dominium, tunc partitur iniuste et illicite tanquam eorum inprovidus dispensator. Et si sine revelacione vendicat habere dominium omnium bonorum ecclesie sponse sue, tunc est meridianum demonium et capitalis discipulus antichristi. Quid enim tali et sponse Christi, numquid ut sic est inpeccabilis sicut deus? Consideremus, rogo, originem, quomodo presbiter contraheret inpeccabilitatem vel auctoritatem tantam, in quantum Romanus pontifex; certum quidem est, quod hoc non habet a deo, et mirum est si hoc habeat a cesare. Timeat ergo tanquam servus Christi et sponse sue humilimus, et solicitet ministrare in spiritualibus, dimissis bonis fortune perplexitatibus involutis.

The pope in claiming all patronage is taking upon him the king's duties.

Sed dubitatur primo, si pape tanquam vero patrono pertineat omnia beneficia ecclesiastica regnorum Christianismi, que sunt in manu mortua, dispensare. Et videtur quod non, primo quia commisso regi a deo regni regimine committuntur sibi omnia ad hoc necessaria que sue subiacent potestati. Sed pernecessarium est ad regni regimen habere circumspectos curatos, qui secundum deum regant populum, ut patet hic et De Officio Regis; cum ergo subiacet potestati regis de isto providere, sequitur quod rex habet curam istam sibi commissam a deo; et iste videtur sensus ecclesie ex decreto concilii Toletani, quod 16 questione 7 cap. ponitur sub hiis verbis: 'Decrevimus, ut quamdiu fundatores ecclesiarum in hac vita superstites fuerint, pro eisdem locis curam habeant sollicitam atque rectores ydoneos in eisdem basilicis idem ipsi offerant episcopo ordinandos. Quod si spretis eisdem fundatoribus, rectores ibidem presumpserit episcopus

1. *pro* contra: circa *ceteri.* 4. iniuste et *om. ch.* 7. bonorum temporalium eccl. *d.* 8. dominium *gi.* 9. et *cgh,* est *ceteri; ib.* est *om. h.* 10. *pro* rogo: ergo *i; ib. in textu* potestatem, *al. m.* dignitatem *a;* potestatem *cef; in textu* pot. *al. m.* inpeccabilitatem *d; in textu* pot., *al. m.* dign., *in margine* inpeccabilitatem *g;* dignitatem *ceteri.* 11. *in textu* aut, *al. m.* vel *gh,* aut *ceteri.* 15. solicitet *h solum; in textu* solutum se, *al. m.* sollicitum est *a;* solutum se *c;* solicitum *i.* 18. bona eccl. *a.* 20. primo quia *bh,* primo *om. ceteri; ib.* regni *om. ceteri;* a deo *al. m. a, om. c.* 22. regni *dh;* regis *ceteri.* 26—28. cum — ecclesie *al. m. in marg. d; ib.* subiaceat *corr. ex* subiacet *a;* subiaceret *i.* 26. rex habet *om. h;* sibi *om. h.* 27, 28. *pro* conc. Toll.: consulto letam *befg;* consulto letano *c.* 28. cap. *om. ceteri.* 29. *pro* ut: quod *ceteri.* 30. in hac vita *om. ceteri.*

24. De Off. Regis, c. III, p. 62 et ss. 28. Corp. iur. c. 32 (*Decernimus*), C. 16, q. 7 (Friedberg) I, 809.

ordinare, et ordinacionem suam irritam noverit et ad verecundiam sui alios in eorum loco, quos ipsi fundatores condignos elegerint, ordinari.' Ex quo decreto sanctissimo patet, quod, cum Romanus episcopus sit episcopus precipuus, regum contemptus sit ordinare in regnis suis prelatos inhabiles, cum ex hinc gignuntur membra diaboli, quod si Romanus episcopus atemptet preficere in regnis suis cardinales, vel alios prelatos regno inutiles, regum est sub pena amissionis regni terreni et sub obtentu regni celorum symonias tales dissolvere, et antequam attemptent invadere regna extera, de regnis propriis quo ad istud periculum provide ordinare. Sed heu! si regnum nostrum instinctum bonum ad horam ex spiritu sancto quo ad illud habuerit, et ordinacionem ewangelicam ad cassandam hanc heresim discrete statuerit, statim inpellit antichristus per pseudo clericos nostros ut dicitur et tam sanctum propositum dissipat et dissolvit. Quomodo itaque stabit regnum? Revera ad momentum potest volutari prurigine, sed necesse est ex fide scripture quod in brevi ut Ninive vel corporaliter vel spiritualiter subvertatur.

The king is bound to resist such claims.

Cum ergo provisio ista papalis de beneficiis regni nostri non habet robur nisi ex accepcione nostra ceca atque illicita, utamur quo ad minimum cautela regni Scotorum subridendo dicentium nos audisse, quod papa contulit suis cardinalibus pinguiora beneficia regni nostri, sed fructus beneficiorum nisi voluerint infra regnum ad eius utilitatem expendere, non habebunt, hoc enim potest rex et regnum facere et debet catholice illud primo intendere, secundum legem ewangelicam et regalem. Nec timenda est excommunicacio aut censura vel malediccio propter illud, sed timenda foret regi et regno symoniace hereticorum benediccio quos sic foverit. Nam secundum sanctos eorum malediccio foret benediccio converso et econtra. Item ut pollitici grossi percipiunt in beneficiis ecclesiasticis sunt duo, scilicet ut spirituale ministerium quo ad deum, et temporalium regni adiacencia quo ad mundum, sed primo

We should not allow the pope's presentees to have the income if they do not reside.

1. et ordin. *dh*, et *om. ceteri.* 2. eodem *ceteri.* 3. elegerunt *ag;* ordinari *corr. ex* ordinandum *a* ordinandum *cg.* 4. quod *om. bdefgh; ib.* et precipuus *bcdegh.* 5. contemptus *c't.* contentus *ceteri; ib.* suis *om. h.* 6. hinc *ch*, hiis *ceteri.* 13. institutum *al. m. h.* 16. *pro* per pseudo; perstrependo *ceteri; in textu ut ceteri, al. m. ut h: d; ib.* dicitur sibi et *i.* 17. desipit *pro* dissipat *i.* 23. quo *om. ceteri.* 24. dicentem *ceteri.* 25. fructus *i.* 28. debet *om. abi; ib.* primo *om. c, al. m. h.* 33. conversi *ceteri.* 35–36. scilicet *om. ceteri; ib.* quoad *usque.* 36. adiacencia *om. b.* 36. *in textu* primum *al. m.*, primo *a;* et primum *gi.*

21—25. 'Regni nostri' lin. 21, 'utamur' lin. 23 ad Anglos, 'nos' lin. 24, 'regni nostri' lin. 25 ad Scotos referri ex sensu patet.

pertinente quo ad deum et ministratorie ad prosecucionem episcopi, secundum noscitur principaliter pertinere ad regis officium. Sed rex debet specialiter providere de cunctis spectantibus ad eius officium, de quanto ad cultum dei pertinet, ut supra dixi ex testimonio beati Gregorii in Registro libro 2; ergo regum est in nomine domini exequi dominanter illud officium. Aliter enim rex Anglie non foret nisi regulus partis regni, et Romanus pontifex vel evidencius eius archiepiscopus foret superior et fructuosior dominus regni nostri; sed hoc inprobavi alias. Ideo suppono quod rex noster donando cuique ecclesie sue elemosinas quascunque mobiles sive immobiles reservat sibi capitale dominium, quia alias extingueret regnum suum. Et assumptum ex hoc patet quod spiritualis cura potest stare per se sine dotacione temporalium et econtra. Sic enim fuit tempore Christi et apostolorum et diu post usque ad Urbanum I. ut narrat Cestrensis libro 4 capitulo 48, et ex post stat dotacio sine spirituali ministerio tam in prelatis maioribus quam minoribus, nec dissencient nostri subtiliantes in signis, qui dicunt se credere, quod in sacramento altaris remanet accidens sine subiecto. Cum ergo non datur temporale beneficium clericis, nisi propter eorum ministerium spirituale, patet quod regum est subtrahere quod suum est deficiente causa, cum nec deus nec homo posset illud nisi subintelligendo condicionem implicitam homini quitquam dare. Patronorum ergo, et omnino regum est condicionem istam attendere, quia secundum hoc vinculum duo brachia ecclesie sunt connexa et aliter indubie clerus posset ad tantum subverti, quod ad temporalia grossa omnino attenderet, et spiritualia vivifica nimis vel in toto postponeret.

All temporalities come under the king's rule.

There is no necessary connexion between cure of souls and endowment.

1. *pro* pertinente: particularem *b*, pertinere *i*, *in textu* pertinere, *al. m.* pertinente *ade; ib.* ministratorie *bch*, ministracione *ceteri.* 2. nosci et *pro* noscitur *i.* 9. archiep. suus *ceteri.* 11, 12. circumque ecclesie *h.* 12. suas *fi.* 13. aliter *fi.* 15. quia *pro* quod *ag.* 16. et econtra *om. bhi.* 18. Cesarensis *ag*, cap. 68 *ceteri.* 20. in min. *bce; ib.* ut *pro* nec *i; ib.* dissenc. isto *bce.* 23. eorum *al. m. d, om. g.* 25. dominus *pro* deus *h; ib.* potest *ceteri.* 26. nisi *om. abcf, al. m. d.* 30. potest *ceteri.* 31. omnino *al. m. h; ib. in textu* unica, *al. m.* vincula, *in marg.* vivifica *a;* viv. *om. b.*

6. Cf. supra pag. 7, v. 12 et notam. 18. Cestrensis Ranulphus Higden, monachus Cestrensis, appellatur. In cuius 'Polychronico', libr. 4, cap. 20 (Rerum Britannic. Medii Aevi Script. XLI, t. 5, pag. 66) locum hic citatum invenies.

The decretal gives the patronage to the founder.

Et ista videtur sentencia 16 questione, 7: 'Monasterium,' inquit, 'vel oratorium canonice constructum a dominio constructoris eo invito non auferatur, liceatque illi patrono presbitero cui voluerit pro sacro officio illius diocesis episcopi consensu, ne malus existat, commendare.' Ecce quod domus religiosa stat in iusto arbitrio fundatoris et multo magis in iusto iudicio regni et regis; ideo dicit decretum Gregorii statim sequens: 'Racionis ordo non patitur, ut monasterium contra voluntatem fundatorum ab eorum disposicione ad arbitrium suum, quis debeat vendicare'. Multi sunt canones testantes quod quicunque licite fundaverit elemosinam ecclesie corporalem, habebit in se et suis heredibus curam, ut condicio illius racionalis compleatur. Ideo dicunt multa decreta sequencia quod factum patroni vel heredis sui debet providencia episcopi loci et eius sapiencia regulari, quod si desit tam sapiencia quam benivolencia cuiuscunque episcopi conversantis, non potest deficere auctoritas vel decretum episcopi ecclesie triumphantis. Et lex scripture cum lege nature, que est lex trinitatis et racionis sit nobis pro regula, nec potest contrariari isti sentencie lex ecclesie vel lex alia credenda catholice.

All patronage is properly in lay hands.

Item totum genus patronatus vel ius suum fuit primo in manu layca, nec fuit post a manu layca ad Romanum episcopum vel suos sathelites licite derivatum, ergo adhuc remanet in manu layca sicut primo; minor patet ex hoc, quod nec a Christo nec a cesare acquisivit papa ius tale, cum sit officium laycale. Unde patronus dicitur a patre quasi defensor et hinc dicitur habere multa officia ut recitat glossa super cap *Pie mentis* 16 questione 7: 'Patronum faciunt dos, edificacio, fundus'; et hinc hec tria: honor, onus, et utilitas. Illud

2, 3. a dominio constructoris *corr. ex* a domino constructore *a;* a domino constructore *g.* 5. ex consensu episcopi *h; in textu* ne, *al. m.* ut *a;* ut *pro* ne *di.* 7. iusto *cegh;* isto *ceteri.* 10. ad *om. dfg.* 11. *in textu* canones, *al. m.* tales leges nature *a;* nature *om. bcef;* tales leges *al. m. d.* 12. ecclesiam ecclesie *ag;* ecclesie *al. m. h.* 13. et in suis *dg; pro* illius: eius *ceteri;* racionabilis *ceteri.* 16. debet *ch,* debeat *ceteri.* 17. regulas *bcefg.* 23. et ius *ceteri.* 24. nec — layca *al. m. a.* 25. *pro* episcopum: pontificem *ceteri; ib. pro* derivatum: donatum *g,* deviatum *i.* 31. questione *be, corr. ex* dist. c, 17 quest. 7 *h,* distinccione *ceteri.* 32. *in textu* hinc, *al. m.* inde *h,* hinc *ceteri; ib. pro* illud: idem *ceteri.*

1. Corp. iur. I, 809 (c. 33, C. 16, qu. 7). 8. Ibid. c. 34. 15. Ibid. c. 35—41 (I, 810—811). 31. Ibid. c. 26 (I, 807), Glossa in ed. Corp. iur. a. 1506, f. 243b.

officium committitur et sumitur nunc spiritualiter et nunc corporaliter secundum quod quis confert patrocinium, ut Christus dicitur patronus tocius ordinis Christiani et Augustinus dicitur patronus illorum ordinum qui tenent suam regulam, alii autem qui ex suis elemosinis temporalibus fundarunt quadam perpetuitate collegia sacerdotum, dicuntur patroni illorum locorum quorum officium est elemosinarios suos secundum regulas primi patroni et condiciones privatas licite gubernare et delinquentes secundum correpcionem piam corrigere, non occidendo, non comburendo, ut fit in conquestibus, sed elemosinas medicinaliter subtrahendo et in tempore necessitatis de elemosinis ad sui usum moderatum recipiendo, ut patet 16 questione 7, cap. *Filiis* et eadem questione 5, cap. *Quicunque,* et concordant glose doctorum.

Fictitious claims as to endowments.

Unde circa descripcionem et quiditatem patrimonii avari nostri cicumpalpitant dicentes, quod est temporale spirituali annexum et hii, quod consequitur ad dominium sicut passio ad subiectum, et sic parrochiales ecclesie dicuntur habere fundamentaliter suam glebam; et fingunt hii, quod omnis patronatus principaliter spectat ad papam iuxta textum in principio 2. decretalium De Judiciis cap. *Quanto divina* etc.: 'Causa', inquit, 'iuris patronatus ita coniuncta et connexa est spiritualibus causis, quod non nisi ecclesiastico iudicio valeat diffiniri,' non quod spectat ad papam vel episcopum esse patronum elemosine corporalis, licet quandoque distribuat egenis elemosinas quas recipit ut servus cesaris vel alterius domini secularis; verumtamen causa finalis talis patrimonii debet tractari coram iudice ecclesiastico reducendo ipsam

In what way they come under the ecclesiastical judge.

1. *in textu* innuitur, *al. m.* committ. *a,* innuitur *pro* committ. *bcdeg; ib.* et *om. adg.* 2. patronum *abfg;* pro^m *ce; in textu* constituit patronum, *al. m.* confert patrocinium *d.* 4. est *pro* dicitur *adg.* 6. fundarunt *ceh,* fundaverunt *ceteri.* 6, 7. quedam collegia sacerdotum quadam perpetuitate *dg; a ut dg,* quad. perpet. *autem al. m. addit.;* quadam perp. *e;* quandam perpetuitatem *f.* 7. quorum off. *ceh,* qu. per off. *ceteri.* 8. est *al. m. a, om. cdfg; ib.* elemosinarios *corr. ex* elemosinas *a;* elemosinas *g,* suos *om. ag.* 9, 10. lic. est gub. *ag,* et deliinqu. *deh,* et *om. ceteri.* 10. correccionem *i.* 11. questibus *ab.* 12. *in textu* mediocriter, *al. m.* medicin. *d,* mediocriter *ceteri.* 13. suum *ag.* 14. cap. *om. ceteri.* 14, 15. 5 cap. Quicunque *dh,* 5 cap. *om. ceteri.* 15. *pro* doctorum: decretorum *adi.* 16. contra *pro* circa *h; ib. pro* patrimonii: patroni *ceteri.* 17, 18. spirituali temporale *corr. ex* spirituale temporali *a;* spirituale temporali *g.* 18. hinc *pro* hii *dfg.* 20, 21. fugiunt *i.* 22. in principio *om. h.* 23. cap. 4 *i;* De Judiciis *om. ceteri;* cap. 5. Div. gr. *pro* Qu. div. etc. *ceteri; in textu ut ceteri, al. m. ut h:d.* 27. *pro* corporalis: carnalis *i; ib.* aliquando *ceteri.* 28. recepit *cdef.* 29. patroni *h.* 30. eum *ag,* ipsam *ceh,* ipsum *ceteri.*

14. Ibid. c. 31 (I, 809). 15. Ibid. c. 30 (I, 808). 22. Gregorii decretales II, 1, 3 *Quanto te divina* (Friedberg II, 239).

ad spirituale patrimonium conformiter legi Christi quod si ipse perversus et avarus fuerit, residua pars ecclesie debet ordinare de isto secundum voluntatem ultimam patroni primi Christi, que patet in testamento suo. Unde patronatus est forma qua quis dicitur formaliter patronus, nec in natura sua est res corporalis, cum nec sit obiectum, nec est res illa corporalis, quam patronus donat ecclesie, sed quedam spiritualis potestas ad providendum de elemosina prius data. Quoddam eciam dicitur spirituale patrimonium a termino et aliquod corporale licet utrobique sit in se spirituale. Sed postquam invaluerunt cultores signorum uterque patronatus pervertitur, nam layci emunt et vendunt patronatus ut boves irregulariter propter questum, cum tamen de lege nature populus debet digniorem eligere, et episcopi perversi ad seculum loco patrocinii spoliant subiectos. Ista autem est nimis severa patrociniacio sicut false fingitur Christum benedicendo panem in sacramento altaris ipsum panem omnino destruere. Non sic preputabant sancti in primitiva ecclesia, sed ex consensu populi qui debuit mederi fiebat eleccio, ut patet distinccione 63 cap. *Plebs*, et per multa alia capitula et 1 questione 1, *Ordinaciones* et 1 questione 1, cap. *Si quis*, ut patet proximo capitulo. Nec subest racio quare ista lex pro iusticia populi non debet hodie servari. Necesse est tamen, quod quicunque defectus eleccionis prepositi corrigantur per superiorem ecclesiam, sed non est correccio sed deterioracio quod loco defectus communitatis vel populi mutatur electi adopcio in fauces diaboli: ad patronum itaque pertinet patrimonium suum ad melius gubernare.

Abuses of patronage.

Clergy appointed by popular election in the primitive church.

2. avare *h; ib.* defuerit *ceh.* 3, 4. istam *pro* ultimam *bcefg, in textu* istam, *al. m.* ultimam *ad.* 4. testimonio *h.* 6, 7. nec *corr. ex* ut *h.* 7. est *om. bc; ib.* carnalis *i; ib.* subiectum *ceteri,* est res illa *om. i.* 8. *pro* donat: dedit *ceteri.* 9. *in textu* quedam; *al. m.* quoddam *a.* 14. irregulariter *al. m. ad, om. fg.* 16. subditos *afg.* 17. *in textu* mens, *al. m.* mundi, *in marg.* nimis *a;* mens *bcefg; in textu* mens, *al. m.* nimis *d.* 18. sacro altari *h.* 19. omnino *al. m. d, om. ceteri.* 20. primeva *ceteri,* Christi *pro* populi *bcdefg; ib.* mederi *om. b,* medium *fg,* videri *i.* 21. cap. *om. cefg.* 22. et — ordin. *cancellat. d.* 23. cap. *ceteri.* 24. per iusticiam *ceteri.* 25. non *om. afg;* servari *ceteri; ib.* ut *pro* quod *a.* 26. corrigantur *dh,* corrigatur *ceteri.* 27. licet *pro* sed *bce, in textu* sed, *al. m.* licet *d.* 29. mutatur *bcefg;* mittatur *ceteri.* 30. patrocinium *ai, al. m.*

21. Decreti c. 11, D. 63 (Friedberg I, 238). 22. Ibid. c. 113, C. 1, q. 1 (Friedberg I, 402), q. 4 (ibid. I, 816). 23. Ibid. c. 115, C. 1, q. 1 (ibid. I, 403).

Sed contra illud arguitur: Videtur quod omnis patronus debet post induratam communitatis maliciam patronatum suum dissolvere, quod est quasi contra legem 17 questione 4, ubi decretum sic loquitur: 'Omnes ecclesie raptores atque suarum facultatum alienatores a liminibus eiusdem sancte matris ecclesie anathematisamus et apostolica auctoritate pellimus, dampnamus, atque sacrilegos esse iudicamus; et non solum eos, sed omnes eis consencientes, quia non solum qui faciunt rei iudicantur, sed eciam qui consenciunt facientibus; par enim pena et agentes et consencientes comprehendit.' Hic dico quod utile foret et honorificum ecclesie multas eius dotaciones dissolvere, nec in hoc destruitur patronatus, sed melioratur ab irreligiosa temporali tradicione ad spiritualem patronatum conversus. Sed felix et meritoria patronis foret talis mutacio, quia non dubium, quin Christus omnipotens et omnisciens et omnivolens ordinavit et aptavit vitam et statum sponse sue competenciorem pro beatitudine acquirenda, ipse autem ordinavit apostolos pauperes exproprietarios dispargi per orbem et ewangelium predicare, ergo status talis exproprietarius foret apercior et alcior pro beatitudine acquirenda. Et istam sentenciam omnes fratres vel sacerdotes scioli contestantur, et dicit decretum Nicolai III in sexto, *Exiit qui seminat*. Cum ergo Christus non docuit suos apostolos cariores esse sic proprietarios vel claustraliter congregatos, videtur quod hoc sit ad onus et dampnum ecclesie. Patronus itaque qui dissolveret hanc imperfeccionem, tanquam dei adiutor et non nominis sui fallaciter terreni fundator multum iuvaret sic incarceratos et terrenis oppressos, et per consequens totam ecclesiam. Si enim totus clerus viveret exproprietarie, sicut vixit ex ordinacione Christi in ecclesia primitiva, ipse foret in se ad sanctitatem

It is said that lay rule would lead to robbing the church.

It would be a good thing to suppress many endowments.

1. obicitur *pro* arguitur *ag*. 2. induratam *ceh; in textu* usitatam, *al. m.* induratam *d*, poni usitatam *f*, incusatam *ceteri*. 3. quasi *om. ceteri*. 8. esse *om. i*, sed eciam *om. h*. 11. facientes *pro* agentes *i*. 13. destruere alias dissolvere *b*. 14. corporali tardacione *pro* temporali tradicione *h; d in textu ut ceteri. al. m. ut h*. 15. conversis *h*. 22. *pro* apercior: accepcior *a, pro* alcior: eleccior *ceteri; d in textu ut ceteri, al. m. ut h*. 23. fratres *ceh, in textu* fratres, *al. m.* scientes *d;* scientes *ceteri;* sacerdotes *om. ceteri; ib.* testantur *i*. 24. et *ceh,* ut *ceteri; ib.* exit *a*. 25. Christus *bceh, om ceteri*. 26. aggregatos *ag*. 29. fallacis *ceteri*. 33. ad sanctitatem *h solum;* ad sanctit. *al. m. d*.

3. Ibid. c. 5, C. 17, q. 17 (I, 84). 24. Sexti decret. 5, 12, 3 (ibid. II, 1109).

disposicior et ad convertendum populum a seculo speculo clarior, cum utrimque ex eius contrario accidunt multa mala. Quantum ad decretum dicitur quod necesse est legistas et omnes fideles inteligere de ablacione illicita. Quod bene notat decretum vocans tales raptores atque sacrilegos, nam auferens temporalia a pseudopapa atque heretico propterea a Christo et lege ecclesie comendatur, nec video quomodo liceat auferre temporalia invite ab homine nisi foret hereticus et tunc licet; si autem licet et debet de lege veteri auferri sarcina qua deprimitur iumentum proximi, multo magis in lege nova non debet onerari animus confratris sarcina vocate elemosine qua religio Christi deperditur et fune diaboli trahitur ad infernum, nec debet in istis credi appetitui infirmorum, qui propter distrasiam amplexati sunt stercora sensus scripture. Si ergo necessaria sint nobis temporalia, tribuantur nobis secundum modum et mensuram quam ewangelium limitavit, tunc enim spargerentur temporalia in mundo fructifere tanquam pluvia, et dissensiones et bella et secte et alii fructus carnis quos recitat apostolus sopirentur, et sermo dei intraret nutriens taliter irrigata. Unde credo quod spiritus sanctus intelligit per hanc legem, quod illi qui spoliant ecclesiam que est homines excellencia status et virtutum, per dotaciones cecas instinctu diaboli exortas, ut scilicet perpetuetur dotanti celebre nomen in terris, illi inquam, sunt sacrilegi et a triumphante ecclesia maledicti.

This would relieve many souls of a burden.

Those who endow are the real spoilers, robbing the Church of virtue.

Diabolus enim est rex supra omnes filios superbie et, ut novit fidelis, tales ut sic infinitum magis bonis spoliant matrem suam; nec excusat yppocritica et ceca intencio, quia Paulus ex fide scripture fuit percussus blasfemia, cecatus ex consimili ypocrisi sacerdotum,

Good intentions an insufficient excuse.

1. et *adeh, om. ceteri; ib.* speculo *om. i; in textu* a solo speculo *cf, al. m.* a seculo *c.* 2. utique *ceteri.* 3. infinita *pro* multa *i.* 9. ab homine *bce, om. ceteri.* 11. *pro* iumentum: inmeritum *b,* iniunctum *i; ib.* proximi *h solum,* Christi *ceteri.* 12. confratris *al m., in textu* conferens *ad,* conferens *f,* conferentis alias confratris *b;* confr. *om. c.* 13. ecclesie *pro* elemosine *abg;* voc. elem. *cancell. d.* 16. sunt *ceteri.* 18. limitat *ceteri.* 22. curreret *pro* intraret *h,* intrinsecus *pro* nutriens *i.* 24. hominis *bcdef.* 26. scilicet *d solum al. m., in textu* si qui; si *h,* si que *ceteri; ib.* dotatim *bcfg,* dotatim *in textu,* dotanti *al. m. a.* 29. est *om. i.* 30. in infinitum *bcefg;* bonos *acfg;* bono *h;* bono *corr. ex* bonos *de.* 31. yppocrita *aceg.*

1, 2. Cf. Jerem. 31, 21. 16. Philipp 3, 8. 21. Gal. 5, 19 seqq.

nam dictum est ei quod prestaret obsequium deo laborando, ut ubicunque inveniret huiusmodi viros, vinctos perduceret Jerusalem, et illi in ore eorundem sacerdotum vocabantur benefici, quia eius predia et possessiones ampliarunt. Recolant itaque seculares domini de duplici penali cecacione Pauli et de duplici eius illuminacione, ex quibus sequebatur tam conversacione quam predicacione confusio Judeorum et ex doctrina sancti spiritus faciant ipsi similiter. Recolant inquam, quomodo cum sacramento eukaristie et penitencie nec non et tercio cum elemosina temporalis beneficii que de facto est maleficia, dissolvens religionem quam Christus instituit, sophisticatur ecclesia. Unde multe sunt habitudines rotate hodie speculative in materia de sacramento altaris, que docent prenostice hanc irreligiosam affeccionem circa temporalia inesse ecclesie. Docmatisatur, inquam, per cultores signorum, quod quicunque negaverit sacramentum altaris esse accidens sine subiecto, sit tanquam hereticus iudicandus, et sic quicunque negaverit adiacenciam temporalium cum quibus dotatur ecclesia non esse de perfeccione essenciali ecclesie, eciam censetur hereticus. Quicunque eciam secundo negaverit cultum divinum, eciam latriam non esse exhibendam accidenti sine subiecto, censetur hereticus; et correspondenter quicunque negaverit meritum beatitudinis correspondere proporcionabiliter quantitati boni temporalis ecclesie adiacentis, iudicatur simili modo hereticus. Sed tercio, sicut subtiliantes in signis relicta scriptura cum priscis doctoribus fundantur super novis recentibus qui docma suum voluntarium gratis docent, sic magnificantes dotacionem cesaris relicta doctrina Christi et patrum primitive ecclesie innituntur auctoritati humane et pape cesareo. Unde subtiliores illius sentencie dicunt, quod solum determinaciones Innocencii III cum suis complicibus stabiliunt istam fidem. Et revera

False doctrines now prevalent.

Innocent III is made the chief authority.

1. *in textu* deo, *al. m.* in eo *h.* 2. invenerit *a; ib.* huiusmodi *h*, huius vie *ceteri; ib.* in Jerus. *a.* 3. *pro* in ore: more *h.* 4. qui *ceteri.* 5. ampliarent *ceteri.* 6. cecacione *ceh.* cecitate *ceteri.* 7. conversione *i.* 9. faciunt *bfg.* 11. beneficencie *ceteri*, maleficencia *ceteri.* 14. infinite *pro* multe *i; ib.* specul. *al. m. a, om. fg.* 16. religiosam *ag, pro* circa: contra *h*, medie *pro* inesse *ceteri.* 22, 23. eciam quic. *ag.* 24. ex *h, corr. ex* ad *d*, adhib. *ceteri.* 26. *in textu* racionabiliter, *al. m.* proporc. *a.* 29. *pro* priscis: perfectis *afg*, pre sanctis *ce; in textu* perfectis, *al. m.* priscis *d*, sanctis *ceteri;* in priscis *h.* 31. et relicta *i.* 32. patroni *ceteri.* 33. istius *ceteri.* 35. reliquit *pro* revera *bcfg, corr.* in revera *ad.*

1. Act. 9, 2.

dictus Innocencius iam superstes posset habere hodie decem milia prelatorum qui omnes consentirent in istam trimembrem blasphemiam, quod religiosius esset ecclesiam cleri dotare uberius, quam carendo istis possessionibus vivere pure expropriet arie sicut Christus, quia vita activa possessionatorum est vita contemplativa expropriatariorum multo perfeccior, cum tam necessaria sit dotacio cesarea hodierna, quam necessaria fuit potestas faciendi miracula in ecclesia primitiva. Sed fidelis cognoscit quod non sequitur: si papa et cum millesies mille prelatis et doctoribus eciam sollempniter hoc docmatisat, ergo verum, ymmo omnes isti forent tanquam refugi suspecti fidelibus de lepra symoniaca et per consequens heretice pravitatis.

CAP. IV.

The Pope may commit simony.

Ulterius videtur quod papa in distribuendo beneficia ecclesiastica et alia spiritualia carismata potest comittere symoniam. Nam improvide papa propter retribucionem temporalem potest hoc facere, sed iuxta dicta eo ipso est symoniacus; ergo conclusio. Unde signum symoniace heresis foret in papa ipsum sibi collaciones omnium huiusmodi beneficiorum infundamentaliter et insolite cumulare. Nam apostoli sine contencione maioritatis vel recursu ad Petrum constituerunt indifferenter presbiteros sive episcopos, qua ergo evidencia oportet pro isto recurrere ad Romam? Mortua quidem est racio, sicut Petrus obiit Rome. Patet ista sentencia tractatu De Papa. Si enim deficit humana regula de statuendo prepositos,

His exaggerated claims are a sign of simoniacal heresy.

3. triplicem *ag*, trimembrem *al. m. h.* 4. *in textu* taliter dotatam, *al. m.* cleri dotari, *in marg.* uberius *ad;* taliter dotatam *bfg;* dotari *ce;* uberius *om. b.* 5. expropriet arie *cefgh*, expropriet ate *ceteri.* 6, 7. expropriet ariorum *ag*, expropriet atorum *ceteri.* 7. modo *pro* multo *ceh; in textu* multo, *al m.* modo *d;* m. vel infinite *bdi.* 7. sit *om. i.* 8. ces. *al. m. d; om. ceteri.* 9. cognoscat *ceteri.* 10. et *om. ceteri.* 12. illi *ceteri; ib.* fidelibus *om. i.* 13. symoniace *bce*, symonie *ceteri.* 17. provide *i.* 18. *pro* hoc: talia *c*, talia *in ras. e*, illicite *ceteri; ib.* sed *om. ceteri.* 19. hereticus *pro* symon. *h; in textu* sym., *al. m.* heret. *d; ib.* conclusio vera *ag*, vera *al. m. df.* 20. super ipsum *dfg*, super *cancell. ac; ib.* sibi *om. dfgh, al. m. add. a; ib.* tollens *pro* collaciones *fg, in textu* toll., *al. m.* coll. *d*, collaciones *in ras. a.* 21. infundam. *al. m. corr. in* infundabiliter *d.* 22. mentis *pro* maioritatis *bcefg; in textu* mentis, *al. m.* maior. *a; in textu* mai., *al. m.* mentis *d.* 25. Romanum *ce*, Romanum episcopum *h; in textu* Romam, *al. m. ut h: d;* Roma *pro* racio *bfg;* Roma *corr. in* racio *a;* racio Roma *c.* 27. autem *h, in textu* autem, *al. m.* enim *d*, autem *ceteri.*

ut patet supra de cap. *Si duobus* superius allegato, eque deficeret humana regula de eligendo prepositum; quomodo ergo sacerdos Christi postponeret legem dei et procederet secundum elecciones legis humane gentilis plene cautelis diaboli, aut quomodo papa cassaret elecciones huiusmodi, si sint iuste? Item apostoli ex communi decreto deficiente revelacione elegerunt per sortem Matthiam apostolum ut patet Act. 1. Sed factum eorum debet in isto esse exemplar evidencius quam sequens dictum vel factum Romani pontificis, ergo adhuc ecclesia debet intendere huic forme. Et ista videtur sentencia decreti Jeronimi posita 8 questione 1. 'Si,' inquit, 'tantus ille ac talis Moyses non permittitur iudicio suo de eligendo principe populi vel de constituendo successore, quis erit qui audeat vel ex plebe que sepe clamoribus ad gradum aut precio fortasse excitata moveri solet, vel ex ipsis eciam sacerdotibus, quis erit qui se ydoneum ad hoc iudicet, nisi hic cui oranti et penitenti a domino reveletur? Sicut deus dicit ad Moysen Num. 27: "Assumme ad temet ipsum Jesum filium Nave, hominem qui habet spiritum dei in semet ipso et impones manus tuas super eum et statues eum coram Eleasaro sacerdote et precepta dato ei in conspectu tocius synagoge et precipe de ipso coram eis et dabis claritatem tuam super illum ut audiant eum filii Israel". Audistis evidenter ordinacionem principis populi tam manifeste descriptam ut pene exposicione non egeat'. Et eodem spiritu dicitur prefecisse Petrus Clementem, ut patet ante eadem questione cap. *Symon Petrus,* et ita generaliter quando apostoli prefecerunt presbiteros; quod, si inspiracio que debet esse populo nota defuerit, mittant sortem; non enim est in potestate pape vel hominis leges scripture destruere.

The apostles chose by lot.

1, 2. ut — prepositum *om. g*, lege *pro* de cap. *abcef*, lege *corr. in* de cap. *d;* Si duobus sup. alleg. *om. abcef.* 2. illa *pro* eque *h; ib.* deficit *abf; ib.* declinando *cf, corr. in* de eligendo *a; ib.* propositum *a.* 5. cessaret *fg, corr. in* cassaret *a;* elleccio *fg, corr. in* elecciones *a.* 11. eciam debet *corr. in* ecclesia debet *ag.* 12. Jeronimi *dh;* poni *pro* Jeronimi *bcefg, om. ceteri.* 13. ille *om. i,* actor *pro* ac talis *fg,* talis *in ras a;* officio *corr. in* iudicio *a;* off. alias iud. *b,* iud. *corr. in* off. *g.* 16. ad precium *c; ib.* fortasse *al. m. a, om. g.* 17. erit tunc *i;* tunc *al. m. add. a.* 18. petenti *ceteri.* 19. deus *ceh,* dominus *ceteri.* 20. Marie *pro* Nave *ag.* 23. precepto *i.* 24. precipue *beg, corr. in* precipe *ac.* 26. de scriptura *cdfg* 27. exponi *i.* 28. Petrus *al. m. a, om. cdefg.* 29. cap. *om. acdefg.* 30. sacerdotes presb. *ceteri praeter ch.* 31. nota *bcefh,* non *ceteri.* 32. a potestate *a.*

1. Cf. pag. 29, 1. 8. Act. I, 26. 12. Decr. c. 16, C. 18, q. 1 (Friedberg I, 595). 16. graciam pro gradum in Corp. iur. 19. Num. 27, 18. 28. Decr. c. 12, C. 18, q. 1 (Friedberg I, 594).

The flock know best who can serve their wants.

Item illa persona, que ex evidenciori noticia, ex specialiori elemosina, et ex sumenda preciosiori medicina habet magis interesse, debet eleccioni tali approbando assistere; huiusmodi non est papa quo ad contractus sibi incognitos, sed populus regulandus, ergo eleccio talis pape est impertinens. Quomodo, queso, papa cognoscit de moribus, que persona sit habilior, ut tali genti presit episcopus, aut quomodo papa coget laycum dare elemosinam suam persone, quam credit inhabilem, vel quomodo cogetur accipere spiritualem medicinam in qua debet esse salus perpetua tam corporis quam anime, ab illo ydiota quem credit inhabilem; quod si absens desit in istis quid sibi de fructibus? Et ista videtur sentencia beati Jeronimi super Leviticum et ponitur 8 questione 1: 'Licet,' inquit, 'dominus deus de constituendo precepisset principem, licet eciam dominus elegisset eum, convocatur eciam sinagoga. Requiritur ergo in ordinando sacerdotem eciam populi presencia, ut sciant omnes et certi fiant, quia qui prestancior est ex omni populo, qui doccior, qui sanccior, qui eciam in omni virtute eminencior, ille eligatur ad sacerdocium, et hoc attestante populo, ne contra postmodum retractacio vel scrupulus resideret. Hoc est autem quod eciam apostolus precipit in ordinacione sacerdotis dicens: "Oportet autem illum testimonium habere bonum ab hiis qui foris sunt". Ego tamen et amplius aliquid video in eo quod dicitur: "quia Moyses convocavit omnem synagogam, ut hoc sit coligere omnes animi vires, et in unum congregare virtutes, ut cum sermo de sacerdotibus et sacramentis habetur, vigilent omnes animi virtutes et intente sint, nichil in eis sapiencie, nichil sciencie, nichil industrie desit, sed assit omnis multitudo sensuum, assit omnis congregacio sacrarum cogitacionum, ut quid sit pontifex,

1. *in textu* specialiori, *al. m.* spiritualiori *a;* spiritualiori *i.* 3. secundum *pro* debet, eleccionem taliter *ceteri,* elecc. huiusmodi tal. *ag,* appropriando *dfg,* appropriando alias approbando *b,* assist. *al. m. ad, om. cefg.* 4. contratas sibi incognitas *h.* 5. sibi est inp., pape *al. m. a,* sibi est inp. *g;* pape *al. m. h.* 12. credidit *bdf.* 13. de fruct. *om. bcefg;* et fruct. *ceteri.* 15. de *h solum exhibet; in textu* sciendo, *al. m.* constituendo *ad;* sciendo *bcefg.* 17. sacerdote *bcdef.* 18. *pro* fiant: sint *ceteri,* qui *om. bcdefg.* 21. attestante *bgh,* astante *ceteri;* contra *aegh,* qua *corr. in* contra *d,* qua *ceteri; ib.* retractacio *i,* retraccio *ceteri.* 22. quod et *ceteri.* 23. precepit *a.* 26. convocat *a.* 28. sacerdotibus et sacramentis *ceh,* sacrandis *ceteri.* 29. ut nichil *ag.* 30. *pro* sciencie ecclesie *ceteri,* vel industrie *ag.* 32. sanctarum *ceteri.*

14. Ibid. c. 15. 23. I. Tim. 3, 7. 25. Num. 8, 9. 26. Tractatus De Papa. Cf. Addenda.

quid unccio, quid indumenta eius, conferens intra sacrarium cordis sui possit advertere.'

Ex isto dicto morali huius sancti potes advertere, quantum ecclesia perversa est hodie; olim enim fuit lex, quod vel deus limitaret, vel populus regulandus eligeret sibi sacerdotem sive episcopum. Sed modo precluduntur manus simplicium et petitur Romanus pontifex, a quo emunt mercantes pessimi tam corpus quam animam simplicium a diabolo perpetuo cruciandum; Judas autem mercatus est de persona Christi signata et precio, isti autem mercantur stulcius pro aris signatis de populo et precio que ignorant; nec dubium, quin infinitum minus malum foret papam vendere bovem exteri vel iumentum, quia infinitum magis latet periculum, et cecatus laycus auferenti bovem vel vaccam resisteret, sed de mercacione anime sue per antichristum seducitur quod licet sibi de ipsa quomodocunque voluerit commutare. Sicut enim Christus commisit Petro animas curandas, ita dicunt implicite quod antichristus comisit pseudopape animas captivandas; et totus populus in isto negocio est tam inmemor salutis proprie, quod pro iure humano temporali staret audacter usque ad mortem, sed pro iure divino utriusque nature proprie non auderet caput erigere: ad tantum enim excecavit procurator Lucifieri plebem dei. Nam planum est, quod papa tam inordinate non aspirat ad providendum regnis que nec noscit nec diligit, de curatis, propter amorem quem habet ad animas, sed propter dominacionem luciferinam qua appetit ipsas opprimere et propter lucrum suorum temporalium, quod consideracione salutis postposita summe sitit; aliter enim iuxta doctrinam beati Gregorii 1 questione 6, cap. *Sicut is*, abiceret eum, qui inportune se ingerit,

The old rule was that God should appoint or the people should elect.

1. in adventu *pro* indumenta *bcfg; in textu* in adventu, *al. m.* indumenta *ad*, in adventam *e;* intra sacrarium *in rasura a*, necessaria *pro* intra *bcefg; corr. in* intra *d*, sanctum *pro* sacrarium *bfg, corr. in* sacrarium *d.* 3. Ex — advertere *om. bcef, al. m. adg.* 5. vel *ante* deus *al. m. a, om. bcef.* 7. simplicium *al. m ad, om. fg; ib.* Romanus *om. i*, pontifex alias episcopus *b*, episcopus *ceteri.* 9. perpetuo *om i;* cruciandum *h, corr. ex* cruciandas *d*, cruciandas *ceteri.* 10—12. significata c, *in textu* signa, *al. m.* signata *h*, isti — precio *in marg. addit. b.* 12. magis *dfg*, minus *ceteri.* 13. *in textu* papam, *al. m.* ipsum *a;* papam *bceh*, ipsum *ceteri;* exteri *cdh*, exi *ef*, *om. g*, {Christi *pro* exteri *al. m. a;* Christi *ceteri.* 14. maius *ceh*, magis *ceteri.* 15. aufferente *i.* 21. est *om. i.* 22. temporali *i.* 23. audet *h.* 24. excecavit procuravit procurator *i.* 28. *in textu* donacionem, *al. m.* dominacionem *a.* 31. beati Gregorii *cefh*, beati *om. ceteri.* 32. cap. *h solum; ib.* quis *pro* is *abi*, abiecerit *adefg*, abierat *b*, abiacerit *c; in textu* enim, *al. m.* cum *a*, enim *bcfg, om. d.*

31. Corp. iur. can. I, 425 (c. 3, C. 1, q. 6).

ut supradictum est. Et idem docetur 8 questione 1 cap. *In scripturis*, ex Registro eiusdem beati Gregorii: 'Sicut,' inquit, 'locus regiminis desiderantibus negandus est, ita est fugientibus offerendus.' Modo vero contempta hac lege sancta quam Christus docet Math. 20 de filiis Zebedei, procurator Luciferi expectat et reexpectat, ut detur licet magis inhabili illi qui plus et promcius vult offerre.

Let kings wake from their slumbers and repress simony.

Eya nunc reges, intelligite expergiscentes de sompno letargico quo estis per pseudoclericos soporati, et excutite a regnis vestris heresim symoniacam, quia aliter indubie erit perturbacio vobis undique, non pax vera; recognoscite quod commissa est vobis gubernacio regnorum a domino, et per consequens regimen populi secundum regulas legis sue. Prohibete itaque legios vestros sic petere fontem symonie et capitalem scolam diaboli, nedum quia persone regnorum et specialiter Anglie sunt in hoc precipue ab hostibus trucidate, et peccunie regnorum secundum prodicionem absconditam sunt exhauste, sed eo potissime quod per hanc ruinam lepra symoniaca occupat multipliciter vestra regna. Si enim paucus cuneus hostium vel lepra regnum inficiencium ipsum invaserit, quis dubitat quin rex segnis in extrudendo huiusmodi hostes sit culpandus? Infinitum magis culpatur a deo indubie eo quod permittit dictos symoniacos invadere regnum suum. Ipsi enim spirituali contagio maculant regnum et speciaaliter reges et dominos seculares ex consensu, et eo gravius quo prospera facilitate negando tales esse legios suos rex potest eos excludere, et quoscunque advocatos eorum tamquam hostes proditorios regni effectualiter consignare. Sed tunc oportet regem et regnum, ut dictum est in tractatu De Rege, fovere studium legis dei et providere theologis curam spiritualis regiminis cavendo tanquam venenum ad illud promovere clericos propter hoc quod sibi in secularibus negociis famulantur. Nam ut sic sunt

They must not promote clerks for secular service.

1. ut supradictum *i solum*, vel suspectum *ceteri*. 2. In script. *om. ag;* cap. In script. *dh soli*. 2, 3. Sicut enim locus, inquit *ag*. 6. reexspectat *om. h*. 9. et *om. a*. 10. de regnis *ag*, sym. populi *al. m. d*. 11. ubique *ag*. 12. quia *i;* dimissa *bcefg;* regnorum *om. ag*. 14. regulam *a*. 16. et *om. i*. 18. perdicionem *bc*. 20. nostra *bcef*. 21. lepre *bcdfg*. 22. quoniam *adfg*. 24. dictos *al. m. d, om. ceteri*. 28. eo facto *ag*, quoscunque *corr. ex* quo facto *d*, quo facto *f*, quoscunque *ceteri*. 29. proditorios *ei*, proditores *ceteri*, regis et regni *ceteri*. 30. in *h solum*, de rege *om. bcefg, al. m. ad*. 32. specialis regiminis *ag*.

1. Ibid. 592 (c. 9 [In scriptis] C. 8, q. 1. 5. Matth. 20, 20 seqq. 30. De Rege. Cf. Addenda.

magis inhabiles et ea racione promoti altrinsecus magis inficiunt sese symonia; et quicunque dixerit quod spectat ad regalia regis sic promovere suos domesticos, dicit implicite quod rex non est rex sed tirannus atque hereticus et tiro precipuus antichristi. Nec destitueretur rex propter hoc sacerdotali servicio, quia omnes redditus regni qui sunt in manu cleri sufficerent exhibere domui sue ydoneos sacerdotes, et illos indubie in manus suas acciperet, et sacerdotes sibi famulantes sine spe profeccionis ad curam spiritualem propter illud officium de illis redditibus sustentaret. Unde proditores sunt regis et regni, qui tacent disuadere istam heresim symoniacam utriusque brachii, vel defendunt quod minus malum est istam symoniam multiplicari in regnis, quam foret regimen capere in manus laicas omnes reditus regni, qui simulata elemosina mortificati sunt clericis. Hoc enim foret restituere clerum ad dignitatem status quem Christus instituit; et aliud est heresis nephandissima quam Christus in templo ut rex iratus destruxit, dans exemplum indubie membris suis et specialiter regibus faciendi similiter, cum debent in isto specialiter sequi Christum. Nec oportet fidelem timere excommunicacionis fulmina in hac parte, quia maledicio propter illud illata vertetur in benediccionem, et super vecordes in isto maledicio dei descendet, eo quod contemptores legis dei timent serviliter rectificare elemosinas suas et predecedencium suorum secundum legis dei regulas. Et ista est sentencia sanctorum doctorum et legum ecclesie, et specialiter sancti pape Gregorii.

The faithful need not fear excommunication.

Sed redeundo obicitur per hoc quod glosa ordinaria super 8 questione 1 et dicto beati Jeronimi in cap. *Licet ergo*, tenet cum glosa Hugonis, quod sufficit in eleccione prelati

1. alterutrum altrinsecus *b*, altrinsecus *cdeh* (*d in ras.*), alterutrum *ceteri*. 3. regaliam *aceh; ib.* dicitur *codices*. 4. aut *pro* atque *ag*. 5. destrueretur *bcefg, corr. in* destitueretur *d*. 6. illud *pro* hoc *ceteri*. 8. illos *ceh,* istos *ceteri*. 10. curiam *corr. in* curam *a,* curiam *g*. 13. maxime malum *i; in textu* minus manifestum, *al. m.* maxime malum *d;* minus manifestum *fg;* malum *in ras. a*. 15. regis *pro* regni *ceteri*. 17. restitucio *h*. 19. ut quam *i,* ut *al. m. a*. 21. debent *bceh,* deberent *ceteri*. 23. illud idem *bdefg*. 25. descendit *ceh,* dei *om. i*. 26, 27. predecedencium *ag,* patrum *d* (*in ras.*), *h,* premium *ceteri*. 27. secundum leges dei *afg,* sec. leges dei contrarias *be,* sec. leges dei regulas *c,* sec. legis dei regulas (regulas *al. m.*) *d*. 31. dicto *cdeh,* dicta *ceteri*.

29. Corp. iur. I, 592 (c. 9, C. 8, q. 1). 31. Ibid. 594 (c. 15). Glossa ordinaria in editione Corp. iur. a. 1506, f. 179[b] et 180.

That a priest already belongs to the church should not prefer him above a better outsider.

quod sit bonus in casu quo sit de gremio, sed cum alienus eligitur, debet esse optimus. Contra istam glosam venenosam arguitur primo per hoc quod spiritus sanctus dicit quod prestancior omni populo eligatur ad sacerdocium, quod glosat doctor implicite quod non prestancior vel sanctior, sed in casu virtute abieccior eligatur, ut posito quod de tota communitate eligatur remissior in virtute, tunc secundum glosam fit eleccio sicut debet. Ex quo sequitur perversa conclusio glosatoris et patet, quod glosa inficit regulam eligendi. Item suppono quod per bonum intelligatur bonum moraliter, quia aliter sufficeret in casu eligere asinum. Sic enim oportet sane intelligere glossam cum suis fundacionibus, quando dicit, quod eo ipso est aliquis bonus quo non est malus, hoc est: tunc est bonus quando est non malus moraliter, quia ut arguunt loici, aliter omnis bonus necessario foret absolute bonus. Quo supposito, prehabito dicto apostoli: 'Divisiones graciarum sunt', suppono tercio, quod simplex

An unfit canon should refuse a bishopric.

ydiota ineptus episcopari canonisetur in ecclesia cathedrali episcopatu vacante, et quod omnes electores in ipsum consenciant, qui secundum opinionem legittime eligunt. Sed patet ex casu oppositum, cum eligunt unum inhabilem qui debet aufugere illud onus, sicut simplex laicus coniugatus debet renuere canonicatum, non obstante quod sit valde bonus et per papam aut capitulum eligatur. Ideo omnis elecio quam deus non approbat est iniusta, sed omnem eleccionem in qua non eligitur habilior ad officium elecionis, deus non approbat, ergo omnis talis eleccio est iniusta; maior patet ex hoc quod nulla talis eleccio est necessaria, sed si sit licita, deus principaliter eligit in electore creato ut

God gives fitness, and to reject the fittest is to oppose his will.

organo. Sed cum deus non potest peccare, videtur quod eo ipso quo deus quemquam eligit postponendo alios, ipse simpliciter est magis habilis, quia magis habilis quo ad deum. Unde propter talem deformacionem a voluntate divina videtur decretum Jeronimi dicere ut recitatur

1. casu quod *ceteri.* 2, 3. ventosam *fg; corr. in* venenosam *ad.* 3. sic primo *ag.* 4. eligitur *h.* 9. glosa *pro* conclusio *acdfg; ib.* glosatorum *ceteri.* 12. in casu *om. h.* 16. laici *i.* 17. supposito et supposito *h.* 19. episcopaliter *i.* 22. Sed patenter constat ex *ceteri.* 24. renuere *fg, corr. in* renuere *d.* 25. non obstante *al. m. h.* 26. Item *pro* ideo *ceteri.* 30. *pro* necessaria: neutra *ceteri.* 31. in eleccione *a.* 36. dicere bene *i.*

18. I Cor. 12, 4.

De Consecracione distincione 5: 'Non mediocriter,' inquit, 'errat, qui magis bono prefert mediocre bonum'; et concordat racio naturalis. Minor autem argumenti patet ex hoc quod deus non potest eligere nisi magis aptum ad officium ad quod ipse eligit, cum sua preposicio facit magis ydoneum; et aliter deus esset irracionalis sive stultus. Item modificando habilitatem persone ut oportet ad officium ad quod eligitur, patet quod non sufficit electoribus eligere personam bonam postponendo aliam magis bonam ad tale officium, quia si sit alia magis ydonea ad illud officium, deus qui facit illum ydoneum, aptat personam illam ad illud officium, et per consequens vult finem, gracia cuius sic aptat; ille ergo qui frustrat aptacionem et voluntatem dei, in isto facit indebite. Sic enim posset cetus electorum prelati una vice paululum variare ab ordinacione et volucione divina et alias iterum tantum declinare, et sic paulative, quousque habuerit indispositissimum in prelatum. Persona enim, que nunc est prescita esse membrum diaboli, est statim post nephandus yppocrita subvertens ecclesiam; et isto modo creditur de eleccione pape et aliorum prelatorum ecclesie, que in penam peccati prioris deteriorando procedit. Quis, inquam, scit habilitatem et perseveranciam prelati in bonum, vel calliditatem eius, qua nocendo ecclesie correccionem non suscipiet? Item sepe est de voluntate divina in penam peccati populi dare eis prelatum prescitum reprobum, ut patet de Saul futuro tali electo a domino 1 Reg. 8, quem deus dixit per prophetam Osee 13 in furore suo se daturum populo. Cum ergo electores ignorant voluntatem domini et disposicionem populi, videtur temeraria presumpcio ad elecciones tales procedere; et per consequens papa accipiens nedum in personam suam unicam illud onus arbitrandi prelatos

Once leave this rule and the standard gets lower and lower.

1. mediocr. bonum, inquit *a*, errant *ceteri.* 2. preferunt *ceteri.* 6, 7. irracionalis *eh, corr. ex* irracionabilis *d*, irracionabilis *ceteri.* 9. hominibus *pro* elect. *g*, hom. *corr. in* elect. *a.* 10. officium *om. h.* 11, 12. deus — officium *in marg. d, om. f.* 12. gradum ydoneum *dh.* 14. optacionem *bg, corr. in* aptacionem *a.* 15. si *g, corr. in* sic *a*, posset *h; corr. ex* potest *d*, potest *ceteri; ib.* cecus *a.* 16. volicione *ceteri.* 17. paulatim *c.* 18. habeant *ag*, habuit *b*, habuerint *e.* 19. est bona prescita*omnes preter i.* 22. deteriorandum *g*, dum *corr. in* do *a.* 23. et *h solum.* 24. illis *pro* eius *h.* 28. quo *g, corr. in* quem *a; pro* deus: dominus *ceteri;* dixit *g, corr. in* dedit *a*, dedit *ceteri.* 32. nedum *om. fg, al. m. a*, recipiens *ceteri.*

1. Corp. iur. can. I, 1418, Decreti III pars (c. 24, D. V, De Consecr.). 28. I Reg. 8, v. 6 seqq. 29. Osee 13, 11.

ecclesie, sed statuens leges prefectorum contrarias voluntati divine, stulte agit, cum faciliter posset exonerari per elecciones de iure communi validas; nec fingendum est, quin homo habens in libertate arbitrii vel viare per istam viam ambiguam aut patule malam, vel pergere per semitam dei securam, eligendo prius electum a deo, sit a domino propter stulticiam increpandus. Nec potest fundari lex ista, quod eo ipso quod maior pars electorum in irreprehensibilem personam consenserit, vel eo ipso quod prius bullas papales super provisione vel officio ecclesiastico presentaverit, est legittime preponendus; stat enim cum tali auctoritate, quod deus ipsum reprobet et inhabilitet ad tale ministerium. Ideo si homo agit contra conscienciam, licet iustum, peccat graviter, ut patet per apostolum Rom. 14, multo magis homo agens iniustum contra sapienciam et voluntatem divinam; sed sic facit omnis eligens contrarie voluntati dei, ergo in hoc peccat graviter. Deus enim sapienter ordinat et graciose vult quod eligatur generaliter magis aptus, elector autem sepe scienter et sepe ex crassa ignorancia est deo contrarius. Quomodo ergo non plus blasfemat quam Petrus vel Paulus? Ymo comutans spiritualem potestatem pro temporali comodo plus peccat in effectu, quam Symon magus, et sic toti trinitati contrarius proditorie negat fidem. Unde decretum Jeronimi positum 8 questione 1 cap. *Vos spernit* sic loquitur: 'Qui vos spernit me spernit.' Ex quo manifestum est, quod qui apostoli lege contempta ecclesiasticum gradum non meritis voluerit alicuius deferre, sed gracie, contra Christum facere videtur, quia qualis in ecclesia presbiter constituendus sit, per apostolum suum insequentibus insecutus est.

Bulls of provision should have no weight.

To give spiritual power for gain is worse sin than that of Simon Magus.

Videtur ex isto textu michi primo, quod sive papa sive alius constituat episcopum, et non secundum regulam

1. prefecturis *ce*, prefecture *h;* voluntati legi divine *ag.* 2. posset *eh*, potest *ceteri; ib.* exhonorari *i.* 3. electos *ceteri; ib.* validas *ceh*, validos *ceteri;* fingendum *abce*, fugiendum *ceteri.* 6. electum *om. i.* 8. quo *ceteri.* 9. consenserunt *ceteri.* 10. prius *h*, primo *ceteri.* 11. portaverit *g*, *corr. in* presentaverit *a.* 13. et — ministerium *in marg. h; ib.* ideo *h*, item *ceteri.* 17. voluntati divine *ceteri.* 20. elleccior *i.* 23. quomodo *i; ib.* non plus *h.* 26. cap. Vos spernit *h solum.* 27. me spernit *om. bcefgh, al. m. a; ib.* ex quo *ceh*, unde *ceteri.* 30. qui qualis *bcdef.* 31, 32. assecutus *d.* 32. et ex isto textu videtur michi *aefg, eodem modo, sed om.* textu *bcd.*

15. Rom. 14, 22, 23. 18. Corp. iur. I, 594 (c. 14, C. 8,q. 1). 27. Luc. 10, 16.

quam dedit apostolus Thymotheo, quam alias exposui, peccat graviter contra Christum. Videtur michi secundo quod qui dimittit legem et scripta sanctorum apostolorum et vel facit vel studet tradiciones novellas, contempnit apostolos et sic Christum, quia ille plus diligitur cuius sciencia ut sua est carior. Et tercio videtur michi quod prelatus non vivens vitam apostolorum, sed seculi, spernit apostolos et sic Christum, quia preeligit mores ipsis contrarios, quod est magnus contemptus.

Two kinds of election: one adhesion to what is good in itself by predestination,

Sed obicitur per hoc, quod iuxta hanc viam cessarent omnes leges ecclesie de eleccionibus, omnes elecciones civiles, et per consequens cessarent omnes privati ordines et observaciones studiorum, cum non nisi eleccionibus rite starent. Hic dicitur quod duplex est eleccio ad propositum, scilicet adhesio per se bono secundum proheresim, et talis eleccio fuisset in statu innocencie et manebit semper in patria, qualiter eliguntur ab homine deus, virtus et gracia. Et ad celebrandum hanc eleccionem per se valet peroptime lex scripture; in hac enim eleccione est tanta certitudo, quod inpossibile est electorem in isto deficere. Secunda vero eleccio est respectu per accidens boni moraliter et est duplex, scilicet provida et inprovida; provida quando homo respectu medii ad beatidudinem, intencione qua duceret ad illam, secundum deum eligit partem sibi probabilem. Sic enim predestinati impelluntur eciam in neutris operibus spiritu dei, tanquam navis in pellago mota vento. Unde Rom. 8 dicitur: 'Quicunque enim spiritu dei aguntur, hii filii dei sunt', hoc est: qui ducuntur per viam ad suam beatitudinem. Et in isto in multis operibus oportet esse tantum consilium spiritus sancti, quod sancti quandoque deficiunt, ut patet de dissensione inter Paulum et Barnabam Act. 15. Ideo necesse est viatorem sepe orare deum pro recto ducatu in talibus,

the other in regard to accidental good, and this may be provident or improvident.

1. dicit *pro* dedit *bc*, apostolus *om. bgi.* 2. enim *pro* michi *abcefg.* 4. et facit *i.* 5. sic *al. m. a, om. cfg.* 6. ut sentencia *h.* 7. vita *ceteri.* 9. qui *codices;* ipsius contrarius *i.* 10. primo per *e*, contra hoc *ceteri*, quia iuxta *i*, iuxta hanc *ceh;* istam *ceteri.* 14. rite *ceh*, recte *ceteri.* 15. bono *eh*, bona *bcfg*, bono *om. ceteri.* 16. proheresim *ag*, perher. *ceteri.* 17, 18. qualiter — hom. *al. m. a; ib.* in patria *pro* ab homine *fgh.* 18. et ad *ceh*, et *om. ceteri.* 21. vero *h solum.* 26. et in *bcefg*, eciam *corr. ex* et *a; ib.* in mentis *e.* 27. spiritus *corr. ex* spiritu *a.* spiritus *dhi.* 28. enim *al. m. a., om. g.* 30. per viam ad suam *cdef, corr. in* ad v. per s. *a*, per viam ad sue *al. m.* suam *ceteri, idem al. m. h.* 33. *Codices* Act. 12.

1. 1 Thim. 3, 2 seqq., cf. supra. 28. Rom. 8, 14. 33. Act. 15, 36.

evacuare peccata obstancia et inniti racioni scripture; unde ut alias dixi, oportet spiritum sanctum tales continue inspirare. Eleccio vero inprovida videtur michi in ambiguis inniti eleccioni secundum tradiciones humanas, ubi pars alia de lege dei patule est secura. Et sic videtur michi quod omnis eligens quo ad statum vel modum vivendi aut operandi in statu secundum tradiciones humanas, dimissa via eque facili et patula secundum legem dei, peccat graviter, licet ignorancia ex peccato priori per graciam dei in pluribus excusatur.

No elections by mere human traditions are lawful.

Et sic videtur michi quod nulle eleciones pure secundum tradiciones humanas sunt licite, sed implicans se in istis ubi posset secundum legem dei supersedere a talibus peccat graviter, et sic videtur michi quod adinvenciones omnes hominum preter fidem scripture sunt secundum plus vel minus culpabiles. Et sic videtur michi quod in principio argumenti verum concluditur, cum melius foret, quod tota natura humana regularetur pure secundum regulam ewangelii, subducta omni lege humana adiecta, quia ex fide deus prescius omnium futurorum tradidit per Christum et suos apostolos complecionem legis pro beatitudine acquirenda; quomodo ergo non superfluit quo ad hunc finem superaddere novam legem? Unde videntur esse discipuli antichristi, qui dicunt quod tam necessarium est superaddere novam legem legi Christi, quam necessarium fuit legem Christi superaddere legi veteri. De isto alibi. Et ita concedo, quod status, statuta, et ritus adiecti secundum tradiciones humanas

1. racione *bce*. 5. *in textu* paciencie, *al. m.* patule *a*, paciencie *bcefg; ib.* secula *abg*. 8. via *al. m. a, om. cdefg*. 10. priori *al. m. a, om. g*. 11. tradite pure *ag*. 13. *in textu* preter, *al. m.* posset *d;* posset *hi*, potest *ceteri*. 15. post fidem *i*. 18. quam tota eleccio reguletur (eleccio *al. m.*) *h*, reguletur *e*. 19. legem (*al. m.*), ewangelii *h*. 20. quia — tradidit *om. i*. 21. pro *om. i*. 22. *In codice i solo post* acquirenda *haec intercalata sunt verba:* quia debet dignior quo ad graduacionem scolasticam preferri. Sed nec hoc vacuat legis blasfemiam nec iustificat declaracionem papalem, cum sepe non graduatus sit superior et habilior ad regimen animarum. Tercium vero genus heresis symoniace quod potest papam contingere, est inordinata volicio preficiendi curatos ecclesie propter comodum temporale; et ista symonia infinitis modis potest ius Christianismum late inficere. Et per ista patet solucio ad primam conclusionem Luciferi negando ipsam ut summe hereticam. Et quantum ad racionem informem patet quod solus deus est dominus qui peccare non potest, cui competit quomodocunque voluerit uti suis. Et quantum ad minorem patet quod papa existente iusto habet titulum ewangelicum ad usum omnium temporalium ecclesie militantis, nec est pompandum de isto, quia quilibet conversans ipso iustior habet titulum veriorem; sed preter hoc habet titulum serviendi ecclesie, ministrandi, gubernandi et dispensandi secundum ewangelium bona ecclesie, quod est valde alienum a manerie dominandi. In isto papa potest errare faciliter per Christum et suos apostolos complecionem legis pro beatitudine acquirenda. 24. esse *al. m. h*. 26, 27. legem veterem *e*, ad legem veterem *ceteri*. 28. statura *abg*.

omnes inseparabiliter peccatum sapiunt, cum dei legem difficultant et impediunt cursum sermonis sui, ut patet in De Cessacione Legalium. Et hec racio, quare lex dei postposita lege civili et philosophica a clericis debet disci. Verumtamen contingit leges humanas multum proficere, de quanto sunt implicite in scriptura, sed in elaboracione et appropriacione istarum iacet periculum.

Secundo principaliter arguitur per hoc, quod in omni eleccione sufficit quod persona electa sit habilis ad officium ad quod elligitur, sed sepe multe sunt persone una plus habilis et alia minus habilis, ergo non oportet semper eligere magis aptum. Aliter enim peccaret homo continue in hoc quod non semper facit sibi optimum; et preiudicaretur persone minus habili electe postponendo ipsam et inducendo aliam magis aptam. Nam si Petrus sit habilis ad tale beneficium, tunc deus ipsum ad hoc habilitavit, et per consequens repugnat voluntati divine, qui habilitatum a deo inhabilitat; quis ergo est ille elector, qui vel accusat quem deus approbat, vel deeligit quem deus eligit? Hic dicitur quod falsum assumitur; ymo sepe persona, que est habilior post maiorem maturitatem ad officium ad quod modo eligitur, est modo inhabilis ut nunc ad illud officium eligatur, et sic videtur inpossibile quod due persone sint simul habiles pro simul ad idem incommunicabile officium singulare. Et patet sensus minoris in argumento: contingit enim unum esse pro tunc plus habilem, et alium esse minus habilem non pro nunc occupare officium illud sed post, ut contigit de Petro et Clemente. Unde sicut deus nichil potest agere ex indifferencia, sic non est possibile quod sint due persone ad idem officium incommunicabile pro eodem tempore eque habiles, quia tunc deus acceptor personarum esset, unum sine causa postponeret. Et patet repugnancia glosatorum decreti, dum dicitur quod sufficit eligere habilem intrinsecum, sed

Present practice defended on the ground that many may be capable, and it is not always necessary to choose the very fittest.

This defence is false.

3. hec est racio *abg*. 5. Verumptamen contra explicaciones humanas *h*. 7. latet *ceteri*. 11. plus habilior *i;* et *om. agi; ib.* ergo *h*, ideo *ceteri*. 12. semper *bcegh, in textu* semper, *al. m.* sepe *a;* sepe *corr. in* semper *d*, sepe *bf*. 16. officium *a; ib.* deus *om. i*. 17. huc *ag*, habilitat *ceteri*. 22. maiorem *dh*, minorem *ceteri*. 22 et 23. modo *h, corr. ex* non *d*, non eligitur, non inhab. *ceteri*. 27. *primum* esse *om. h*, nunc *fi, corr. ex* tunc *a*. 29. contingit *ceteri*. 34. preponeret *efh*.

25. Sanctus Clemens, qui in summorum pontificum catalogo quartus habetur.

The fittest should always be chosen since his fitness is proof that God has appointed him.

oportet quod electus extrinsecus sit maxime habilis. Nam sive intrinsecus, sive extrinsecus, maxime habilis debet eligi, quia illum deus magis habilitat et nullum alium habilitat pro tunc ad illud officium; quanta ergo foret presumpcio ex accepcione persone de gremio eligere personam pro mensura temporis, pro qua est inhabilis! Et si replicetur, quod iuxta hanc sentenciam tardaretur eleccio ad destruccionem ecclesie, dicitur quod non, sed bene concluditur quod cassarentur elecciones humane subdole, cum nemo eligeret, nisi haberet ad hoc inspiracionem dei, certificatus quod deus eundem eligit et movet electorem quod ipsum eligat. Quod si defuerit, consulerem quod elector supersedeat occupans se in certo meritorio, dimittens periculosum ambiguum, quod si sit necessarium ad regimen ecclesie, sicut sunt pauce vel nulle dignitates institute humanitus, pulsent deum pro inspiracione, vel certificati de multis personis mittant sortem de persona eis ambigua sicut fecerunt apostoli. Et patet quod peccamus continue, quia quamdiu dimittimus nobis utilius. Ideo dicit beatus Johannes quod si dixerimus quod peccata non habemus, nos ipsos seducimus, et veritas in nobis non est. Sed gravis est culpa adoptata in cecis eleccionibus preter necessariis. Nemo enim debet eligere minus habilem ad officium pro tempore pro quo est minus habilis, quia hoc foret eligere inhabilem. Et patet quod aliud est hominem facere sibi optimum pro tunc et aliud est facere sibi optimum simpliciter. Verumtamen concedendum est, predestinatum, sicut omnis homo debet esse, continue facere suam beatitudinem, et sic qui ad officium ecclesiasticum postponit personam minus habilem et pro tunc inhabilem facit sibi bonum exoneracionis et iusticie complementum. Nec sunt tales gradus in bene et melius eligere idem in numero pro eodem instanti, et patet quod

Fitness for the occasion is the thing to be regarded.

1. extrinsecus *bcfh, corr. in* intrins. *a*, intrins. *ceteri.* 3. ipsum *ceteri.* 7. istam sent. *ceteri,* traderetur *ceteri.* 9. cessarentur *eh,* humane *al. m. h.* 12. electorem *fh,* eleccionem *g, corr. in* electorem *a,* elecciorem *ceteri;* ut ipsum *ceteri;* defuerit *ceh, corr. ex* deficeret *d,* deficeret *ceteri.* 13, 14. in certe *h.* 14. meritorie *gh, corr. in* meritorio *a; ib.* peric. vel amb. *bei,* vel *al. m. a.* 15. sunt *om. ceteri.* 20. Ideo *ceh,* et ideo *ceteri;* dicit *om. i;* quod *om. ceteri.* 21. dicimus *ceteri; ib.* peccatum *ceteri.* 23. culpa ad min. hab. apost. *i, a al. m.; ib.* adaptata *ceteri.* 29. esse *al. m. h.* 30. cont. fac. s. beat. *cdeh,* fac. alias ferre *b, om. ceteri.* 32. exhonoracionis *h.* 34. idem *om. i.*

20. I Joh. 1, 8.

consonat in casu voluntati divine iudicare virum inhabilem pro una mensura temporis ad officium ad quod deus habilitat ipsum pro alio, et sic necesse est cognoscere logicam in ista materia Nam nunc inhabilis ad nunc ocupandum istud officium pro nunc, est habilis ut alias occupet idem officium; ideo oportet attendere ad tempus et officium ut supra eciam coaptata. Sunt ergo gradus in eleccione rei pro eodem instanti secundum gradus caritatis et non secundum numerum personarum pro tunc eligibilium ad illud officium.

It is argued that as God appointed Moses for reasons unknown to the people, so now he appoints the pope.

Answer: Moses was not a type of the pope but of Christ, who is the everpresent Head of his church.

Tercio arguitur principaliter per hoc, quod deus in lege veteri prefecit Moysen populo in iudiciis vulgo absconditis, ut patet Exod. 4. Sed idem deus non est minus providus in lege nova, ergo per idem providebit sibi in lege nova de tali vicario. Sed quis foret huiusmodi nisi papa? Hic dicitur quod verum concluditur, cum Christus, cuius caput est deus, sit papa et episcopus toti populo Christiano; licet enim Christus figuratus sit per Moysen, est tamen infinitum ipso prestancior presens sue ecclesie usque ad diem iudicii. Nichil itaque Romano pontifici et Christi vicario, nisi forte racione amplioris meriti habeat a deo ampliora karismata ad virtuosius prodesendum ecclesie; quod si habet, humiliter continet se a pompa, latenter proficiens sine retribucione honoris vel comodi temporalis. Nam dotacio vel dignitas data a cesare hoc non facit, nec aliunde ex fide scripture patebit quod Romanus pontifex debet generaliter dominari urbi et orbi; titulum itaque ad talem preeminenciam haberet a cesare quem destruxit. Insuper respiciendo ad fidem legis veteris, si Romanus pontifex vult esse Christi vicarius instar Moysi, videat quod faciat vivendo conformiter. De Moyse, inquam, legitur Exod 14: 'Stulto labore consumeris et tu et populus iste qui tecum est, et ultra vires tuas est negocium, onus illud

1. virum *cefh, corr. ex* utrum *d,* utrum *ceteri.* 5. illud *ceteri;* alias *om. g, al. m. a.* 6. idem *om. ag, al. m. d,* illud *afg,* illud idem *di.* 7. ut supra eciam *om. bcefgh, al. m. a.* 11. Secundo *ceteri; ib.* princip. sic: per hoc *h.* 13, 14. non e. min. prov. *h,* minus *corr. ex* nunc *d,* deus nunc providus *cfg,* deus nunc providet *ceteri.* 14. nova de tali vicario ergo *bdi.* 15. d. t. v. *al. m a.* 14, 15. ergo — nova *al. m. d,* ergo — vicario *om. b.* 18. enim *h,* autem *ceteri,* factus *pro* figuratus *bcdefg.* 19. cum est *ag,* ipso *al. m. h.* 22. ad virt. *h, al. m. d,* ad virtutum *be,* advertencius *ceteri.* 27. patebit *h in rasura,* patescit *ceteri.* 28. primiciam *h.* 30. vult *ceh,* velit *ceteri.* 33. Stulto *om. bcefg, al. m. ad.* 34. et *ante* ultra *om. abcefg,* illud *cdefh,* istud *ceteri.*

13. Exod. 3 et 4. 32. Exod. 18, 18.

non potes sustinere. Sed audi verba mea et consilia et erit deus tecum, esto tu populo in hiis que ad deum pertinent ut referas que dicuntur ad eum, ostendasque populo cerimonias et ritum colendi viamque per quam debent ingredi opusque quod debent facere.' Si ergo in lege veteri sanctus Moyses ita vitam pauperem vixit ex consilio gentilis philosophi, qui in hoc fuit organum spiritus sancti, particularia iudicia de quibus habuit supereminentem scienciam dereliquit, quanto magis vicarius Christi in lege gracie debet esse exemplum pauperis et humilis ministerii et non ultra datam scienciam prepositos sibi incognitos assignare. Nam iudices in lege Moysi debent esse viri potentes et timentes deum, in quibus sit veritas et qui oderit avariciam, multo magis in lege Christi, in qua sunt prepositi animarum. Summus itaque vicarius Christi in terris debet spiritualiter vivere instar Christi, universalem statum christianismi contempto bono proprio respicere et esse exemplum virtutis et contemptus seculi toti populo. Et aliter dissipat se et totum christianismum in sectas propter venenosum exemplum et lucrum proprium quod intendit; propter ista quidem debet esse legis dei sedulus speculator et in arduis ad propiciatorium et alia signa templi secundum legem Christi respicere; et tunc et non aliter est vicarius Christi; et de tanto precipiente domino debemus ad ipsum respicere, sibi credere vel suis monitis obedire.

CAP. V.

The pope should not have general rights of patronage and of reserving first fruits.

Sed dubitatur ulterius, si licet pape sibi reservando primos fructus distribuere generaliter beneficia regnorum. Et videtur quod non, quia ut logici arguunt, per idem posset sibi reservare primos fructus duorum annorum et quotquot voluerit et sic omnia beneficia regnorum posset quo ad temporalia sibi inperpetuum reservare,

1. et *dh,* atque *ceteri.* 2. pro populo *bcef.* 3. ad deum *ceteri.* 4. terminos *pro* cerim. *acfg.* 5. debeat ingr. *i, corr. in* debent *a,* debeant *f; ib.* debent *ante* fac. *om. bcdefg.* 7. duxit ex *gi.* 8. particularia iudicia *h, corr. ex* media *d,* media *ceteri.* 9. supereminentem *h,* -tem *corr. ex* -ter *c,* -ter *ceteri.* 11. scienciam *om. bcdefg, al. m. a.* 14. odiunt *ceteri.* 22. continuus *pro* sedulus *ag.* 23. sed legem *i.* 29. gradualiter *bfg, corr. in* generaliter *a.* 30. legiste arguunt *abfg,* logici *al. m. h.* 33. potest *abcefg, corr. in* posset *d.*

quod esset magnum inconveniens; nec sufficiens racio diversitatis dicetur. Item, per idem posset conferre cardinalibus et collegio suo ad votum omnia beneficia regnorum et sic subvertere elemosinas regum et domi-
5 norum secularium mortuorum.

Prima consequencia patet ex hoc quod papa potest ad votum augere numerum sui collegii et numerum beneficiorum sine mensura eis assignare, cum aliter foret potestas sua in hoc restricta, et dubium foret ac con-
10 sciencie morsivum si racionis terminus sit diruptus; et inconveniens patet fidelibus. Item nullus laicus tenetur dare elemosinas suo curato nisi quantum est necessarium ad eius officium, et per consequens papa sic signante vel defalcante fructus talis beneficii, laicus non tenetur
15 ultra necessaria ad suum spirituale officium ministrare. Ex quo videtur quod laicus potest licite cassare reservaciones et peregrinas procuraciones ac provisiones huiusmodi; quod nonf oret, nisi ipse forent illicite, ergo conclusio. Et per idem sequitur quod vacante bene-
20 ficio a debito ministerio vacare debet instrumentalis ministracio. Item, cum in tali prefectura sint duo, scilicet fructus temporalis percepcio et spiritualis ministracio: si papa potest separare unum a reliquo, tunc potest secundum dignius esse sine primo sicut fuit
25 olim, cum primum accidentale sine secundo poterit per se esse. Ex quo videtur pape licere ad votum assignare layco huiusmodi porcionem et per consequens dissolvere omnem dotacionem ecclesie. Et ultra sequitur quod tardando ab isto dampnificat sanctam ecclesiam, quia
30 spiritualis minister foret tunc purior et elemosina ecclesie foret tunc fertilior; sed ista sentencia foret gravis prepositis.

Danger involved in his claim.

Payment ought to be inseparable from service

Item ante dotacionem et assignacionem partis decime brachium seculare ecclesie fuit liberum a tali exaccione
35 ecclesiastica, sed non licet illibertare ecclesiam in tali

The pope's claims infringe the primitive freedom of the Church.

1. esset *cefh*, est *ceteri*. 2. diceretur *ag*, potest *acefg*. 4. regum et principum et dom. *ag*. 6. ex hoc *om. bfg, al. m. ad;* quod *ceh, corr. ex* quia *d*, quia *ceteri*. 6, 7. ad votum alias ad nutum *b*. 8. assignare *fi*, signare *ceteri*. 9. sua *om. fi*. 10. cum *pro* si *bcdeg, in textu* eum, *al. m.* si *a*. 12. suas *h*, de quanto *ceteri*. 14. et defalc. *ceteri*. 16, 17. reserv. huiusm. *i*. 17. procur. ac *om. ceteri;* ac prov. *al. m. h*. 20. a *om. i*, vac. deb. instr. min. *al. m. a*. 22. spiritualisque *i*. 24, 25. sint olim *i*. 26. votum alias ad nutum *b*, advocatum *i*. 27. procuracionem *ceteri*. 30. pronior *g*, *corr. in* purior *a*. 31. tunc *om. h*, ista sent. *agh, om. ceteri*. 33. cui omne *pro* decime *fg, corr. in* dec. *d*. 34. eccl. *om. ag*. 35. illicitare *cfg*, illegitimare *ceteri* (*a in ras.*), inpensione *ceteri*.

Laymen should defend themselves by withdrawing their alms.

pensione servili, ergo non debet propter statuta papalia a tali libertate excidere; eo ergo vendicante sibi vel suo complici primos fructus, laycus debet elemosinas suas subtrahere. Et illud confirmavi diffuse alias; nec occurrit apcius remedium, quod brachium seculare tenetur exequi contra extorsiones symoniacas antichristi. Unde Cestrensis libro VII, capitulo 34 narrat de Gregorio X, quod tertio papatus sui anno celebravit concilium in quo fuerunt 600 episcopi et 1000 prelati aput Lugdunum Gallie ibique statuit illud insigne et a retro seculis insolitum, quod omnes rectores curati deinceps forent sacerdotes. Statuit eciam quod nulli hominum de cetero liceret decimas suas ad libitum suum sicut antea assignare, sed matrici ecclesie decimas omnimodas persolvere; aliquos ordines vagos cassavit, pluritatem beneficiorum dampnavit. Hoc, inquam, factum legitur anno domini 1272. Sicut ergo ordinacio huius pape cassatur in multis, sic cassari potest in distribucionibus decimarum, et per consequens non licet pape cogere generaliter seculares ut dent sibi regulariter primos fructus. Sic enim cassaretur tam sollempnis ordinacio, qua generaliter darentur decime matrici ecclesie; et perinde posset papa statuere ad votum, quod layci dent sibi decimam vel quotam partem voluerit de omnibus bonis suis, et per consequens spoliare cunctos subditos suos ad votum et regna destruere; nec dicetur racio quare tantum extraneare potest elemosinas ab ordinacione quam Christus instituit, quin per idem et quantumcunque libuerit, et patet fundamentum iuris quo decimas vendicamus. Item cum papa potest comittere symoniam, ut dicunt doctores concorditer, videtur quod generaliter accipiendo primos fructus curati quem promovet, fit symoniacus, quia inordinate dat curam spiritualem propter comodum temporale, et hec est descripcio symonie.

Acceptance of first fruits a form of simony.

2. ipso ergo *ceteri.* 4. et idem *ceteri.* 5. apercius *corr. ex* apcius *a,* remedium *h,* re *al. m. d,* medium *ceteri.* 7. Cum Cestr. *abcefg,* Ostiensis *a.* 11. a *om. i.* 14. viatrici *f,* victrici *g, corr. in* matrici *a.* 16. pluralitatem *adefg.* 17. anno deo *h.* 20, 21. ut — fructus *al. m. h.* 23 = 14. 23. provide *cefi.* 23, 24. quoad vot. l. *i,* debent sibi *ah.* 26. suos *bh, om. ceteri;* totum *ceteri.* 27. diceret *a,* dicetur *cefg,* dicere *ceter.* 34. hoc *ceteri.* 34, 35. descriptive symonia *befdg,* descripcione symonia *c.*

7. Cestrensis loco pag. 33, 18 citato, t. 8, 256. (Lib. VII, cap. 37.) 17. 1272 errate pro 1274.

Aliqua enim est causa, quare pocius recipit ab illo quem promovet primos fructus, quam ab alio prius promoto a domino seculari. Et non est fingenda racio nisi quia illum sic promovet; ergo vendit vel comutat spirituale beneficium propter comodum temporale; nec dubium quin sit inordinata mutacio, quia sepe propter defectum instrumenti spiritualiter ministrandi pereunt multe anime que sunt preciosiores quam totus iste mundus sensibilis. Item domini temporales, eciam reges, quietantur in magna necessitate accipere quindecimam petito consensu taxandorum, sed in talibus primis fructibus papa sepe accipit sibi totum, quia valorem beneficii vel taxam que sepe superat valorem tocius. Similiter quantumcunque habilis nolens solvere primos fructus expellitur, et quantumcunque inhabilis volens solvere quiete inducitur, cuius non est fingenda racio, nisi lucrum quod papa inde reportet. Et illud patet patule ex hoc quod vacante uno episcopatu mediocri in Anglia papa variat tres vel quatuor episcopatus, sic quod singulus ipsorum episcoporum, quia ulterius est promotus, consentit eleccioni et spoliacioni regni, sic quod papa habet de singulis primos fructus, et nec fidelis nec infidelis scit fingere, quin multiplicatur tanta variacio ut papa colligat multiplicius primos fructus; non enim pensatur habilitas persone, ut proporcionaliter pinguius sit promota.

Kings are content with a fifteenth by vote, the pope takes the whole.

Translation of bishop for the sake of gain.

Nec valent in isto ficticie simulate. Prima dicit quod papa ex universalitate sui supereminentis dominii potest capere de bonis ecclesie et specialiter in manu mortua quomodocunque et quandocunque voluerit. Sed ista dominacio blaspheme ficta de papa tolleret a rege et a seculari brachio totum civile dominium, quia ablato a rege capitali dominio, rex et omnes tenentes sui forent nudi vasalli, clientes et ballivi. Quare ergo non prosecuntur clerici omnes actus civiles,

False defences: I. The pope's universal supreme power.

This fiction strikes at the root of lay government.

1. recipit *h*, accipit *abceg*, accipiat *dfi*. 2. illo *bcf, corr. in* alio *d*, prius *al. m. h*. 4. quia *om. i*. 6. mutacio *cdefh*, commutacio *ceteri*. 7. ministri pro instrumenti *h*. 8. totus *om. ag*. 9. Iterum *ceteri*. 9, 10. et reges *ceteri*. 10. quin *om. g, al. m. a*. 12. qui vel *pro* quia *ceteri* (vel *om. df, al. m. a*). 14, 15. nolens — inhabilis *om. e*. 15, 16. expell. — solvere *om. h*. 16. fugienda *i*. 17. reportat *ceteri*. 20. singulis istorum *ceteri*. 22. et sic nec *ag*. 23. quoniam *ch*, quin *ceteri*. 24. multiplices *a, om. g*. 25. proporcionabili *ag*. 27. Preterea *codices*, prima *e*, prima *al. m. d*. 28. universitate *h*. 30. quantumcunque *bi*. 31. blasphema *a*, blasfemie *bcfg*. 34. fierent *ag; ib.* clerici *pro* clientes *h; ib.* et ball. *ch*, vel ball. *ceteri*. 35. persequentur *bc; ib.* tales *pro* civiles *h* (ta *in ras.*).

ut blasfemant Christum et apostolos exemplasse. Nichil itaque blasfemius ista ficticia, ut alias diffuse exposui. Unde signum sue falsitatis est, quod primos fructus vendicant de illis quos recenter promovent, et nec de promotis a seculari brachio, nec de promotis a papis aliis, nec de promotis ab illis, postquam semel reddiderunt symoniace comparata; et tamen utrobique foret tanta licencia subtrahendi, sed timent sibi de percepcione symoniace sacrilege et de resistencia aliorum. Unde videtur evidenter quod consencientes propter acquisicionem beneficii sic symoniace sacrilegi sunt eciam symoniaci ex consensu; ministrant enim pecuniam eis sacrilege subtractam, et sic dant eis munus ab obsequio turpissimum propter ecclesiasticam dignitatem. Si enim omnes promoti illud omitterent, suspensa foret in eis heresis symoniaca tante fetens; illud autem paulative invaluit, quia tempore Johannis XXII primo inventa est ista cautela dyaboli, ut narrat Cestrensis libro VII, cap. 40. 'Johannes', inquit, 'XXII post Clementem sedit annis circiter 19; hic septimum librum decretalium innovavit. Ac dum in primis accepciones nimirum abhorrere videretur, dampnavit primo pluralitatem beneficiorum, ita ut unico beneficio per rectorem accepto, ipse papa reliquorum fructus vacancium per aliquot annos optinuerit. Insuper et aliorum beneficiorum per mortem seu resignacionem vacancium sibi primos fructus reservavit, ita quod rector institutus taxacionem beneficii sui ac residuum acceptaret. Ex quo negocio innumerum thezauri ad pape cameram devenerunt'. Et credo quod non ante fuit illud ab aliquo papa practisatum. Sed per ante cap. 5 eiusdem libri legitur, quomodo sanctus Lodwicus com-

To pay first fruits is also simony.

Growth of the abuse.

4. et non *h.* 5, 6. populis aliis *b*, personis aliis *cd*, appre aliis *f.* 6. simul *pro* semel *bcefg;* redderint *ceteri* 7. comparatum *ceteri; ib.* uterque *h.* 8. timens *i*, precepcione *h.* 9. symoniace *bce soli*, symonie *ceteri;* sacrilega *adi* (lega *in ras. a*), sacrilegia *fg.* 10. propter *al. m. h.* 11. sue symonie *dh*, site symonie *i; ib.* et *pro* eciam *abcefg.* 12. ministrante *bdfg, corr. in* ministrant *a.* 15. ammitterent *c*, obmitterent *ceteri*, ut suspensa *ai.* 17. ista *om. i.* 20. 19 *h*, (9 *in ras.*). 12 *ceteri.* 20. alium librum *fg, corr. in* 6um *d*, 6 *in ras. c; ib.* innovavit *h, corr. in* innotuit *d*, innotuit *ceteri.* 21. nimium *bcefg*, minimum *corr. in* nimirum *a.* 22. pluralitatem *dfh*, pluritatem *ceteri* 23. unico *corr. ex* cuncto *a*, cuncto *bcfg*, unico *al. m. e.* 24. aliquos *ceteri*, obtinuit *ceteri.* 25. affliccionem *pro* res. *bdfg. corr. in* res. *a*, per incertam sedis assignacionem vacancium *ce.* 27. aut res. *ceteri.*

18. Cf. de Cestrensis Polychronico, pag. 33, 18; loco ibidem citato t. 8, 306. (Lib. VII, cap. 42) haec invenies verba. 30. Cf. pag. 33, 18. l. c. t. 8, 6. (Lib. VII, cap. 19.) Ibi vero de Ludovico VII agitur.

bussit bullas papales, in quibus continebatur promocio cuiusdam clerici que fuit ab eo irracionabilis iudicata, asserens se malle tales comburere quam animam suam in inferno torqueri. Vecordia itaque regum originat illud malum, quondam quidem pape pecierunt relevamen a regno nostro per modum subsidii, ut patet in tractatu De Papa, sed modo dicit pro lege statui, quod papa de promotis per eum habeat primos fructus. Nec dubium, nisi regna restiterint istis antichristi principiis, parient illis magis facinus; nedum quia reges vecorditer et stulte consenciunt in depopulacionem bonorum quorum regimen a deo sibi capitaliter est comissum, verum quia tante heresi symoniace contra factum Christi consenciunt, et necesse est, quod per pseudoclericos inimicos domesticos quos exaltant symoniace sint decepti.

II. Pretence that the payment is a free gift.

Secunda ficticia dicit, quod cum papa sine interveniente pacto condignos promovet, non comittit symoniam, licet de propriis post gratis accipiat. Sic enim concedit episcopis et archidiaconis in Anglia primos fructus de tota sua dyocesi; quare ergo non posset papa capitalis dominus eadem auctoritate sibi assumere primos fructus? Hic dicitur quod non refert quo ad deum, sive interveniat condicio tacita sive expressa innuitiva vel insumativa, quia deus qui intuetur corda hominum non potest decipi; papa autem potest palliare condicionem quam habet in animo, ut promotus suus sibi conferat primos fructus, quia potest per excommunicaciones, per privaciones et per spoliativas collaciones secundum mentales reservaciones et infinitas alias cautelas dyaboli pecuniam negatam exigere, ideo ad paliandum suum dominium atque ippocrisim non expresse paciscitur ante datam. Sed neget provisus collectori suo primos fructus, et

A compact need not be expressed it may be tacit.

1. litteras pape *ceteri.* 2. inter ista *pro* iudicata *bcefg, corr. ex* iud. *d,* iudic. *in ras. a.* 3. tales *al. m. h,* suam *h solum, d al. m.* 5. quondam quippe *ceteri,* revelamen *g, corr. in* relev. *ai.* 6. ut patet *om. i.* 7. dicit *i,* statutum *bce;* statim *fg, corr. in* statui *d.* 10. magis *ceh,* maius *ceteri.* 11, 12. ad eos *i.* 12. sibi *dfh, om. ceteri.* 14. propter pseudocl. *i,* propter *corr. in* per *d.* 17. non *al. m. h.* 19. archid. *h, corr. ex* archiepiscopis *d,* archiepiscopis *ceteri.* 23. invitativa *abcfg, d in textu* invitativa, *al. m. ut h;* invita *i,* sive *pro* vel *i,* insinuativa *a,* inconsumativa *i.* 25. palliari *g, corr. in* palliare *a.* 27 punit *pro* potest *bg,* posuit *cef,* posuit *corr. in* potest *d,* per (*ante* exc.) *om. agi,* et per priv. *ag.* 28. per *om. dfi, al. m. g;* spoliativas *di,* spoliaciones *ceteri.* 31. et ipp. *ag,* panciscitur *ceteri.* 32. si neque *pro* sed neget *ceteri,* si neque *corr. in* sed neget *d.*

7. Tractatus De Papa. Cf. Addenda.

If the presentee does not pay, he will soon learn how far the payment is voluntary.

raptus sui beneficii collati alteri ostendit quod mentalis condicio est adiecta: et sic multiplicatur peccatum ex gravitate persone, ex simulata iusticia et ex blasfema vendicacione potestatis concesse Petri vicario. Nec obest quod succedit pacti reddicio. Nam Gesi, qui fuit prepcipuus symoniacus in veteri testamento, non pepigit expresse vel tacite cum Naaman ante donum dei spirituale datum per Elizeum ut, patet 4, Reg. 5, sed post dixit: 'Pepercit dominus meus Naaman Siro isti, ut non acciperet ab eo quod attulit: vivit dominus, quia curram post eum et accipiam ab eo aliquid.' Ecce quod oblacio fuit causa, quare Gesi habuit symoniacam voluntatem. Sed papa antequam conferat beneficium, taxat quid promotus reddit saltem indistincte condicionaliter, si ex una collacione tantum habeat. Secundo, licet Gesi iuramento priori adiunxit mendacium, tamen peciit sub quadam modestia, quantum Naaman titulo elemosine voluit sibi dare. 'Dominus meus, inquit, misit me ad te dicens: Modo venerunt ad me duo adolescentes de monte Effraim ex filiis prophetarum; da illis talentum argenti et vestes mutatorias duplices.' Dixitque Naaman: 'Melius est ut accipias duo talenta; et coegit eum.' Papa autem, si quis fuerit talis, dicitur nedum superaddere iuramento suo de regendo ecclesiam conformiter legi Christi simplex mendacium, sed blasfemum: de papatu et excellencia dignitatis capiendi temporalia virtute generacionis Christi et Petri, qualiter Christus non potest accipere, et non tamquam Gesi plus quam petit est coactus recipere, sed tamquam demonium meridianum cogit miseros promotos plus quam vellent inviti reddere.

1. dedit *pro* ostendit *bcf, corr. in* ost. *d;* dicit *d;* dederit *g, corr. in* ost. *a.* 3. persone *h solum, om. ceteri, al. m. ex* ostendit *corr. d,* ostendit *pro* persone *i.* 3, 4. ex blasf. vendicacionis potestate *abfg;* concessa *abg.* 4. Petro *a.* 7. ante donum dei *dh,* ante *om. ceteri,* don. spir. dat. *f,* donum dedit *ceteri.* 9. Ciro *h.* 11. illo *h,* eo *ceteri.* 15. una *h,* sua *ceteri.* 21. argenti *ceh,* auri *ceteri.* 24. ad regendo *f,* derogando *i,* eccl. suam *di.* 25. blasfemia *acg,* blasfemium *f;* de papatu *acefg,* esse primatum *h,* esse papatum *bi,* de primatu *corr. ex* de papatu *d.* 26. excellencia *h, corr. ex* excellentissima *d,* excellentissima, dignitatis *dh,* dignitate *ceteri.* 28. peciit *ceteri.* 29. recipere *ceh,* accipere *ceteri.* 30. invite *acfg.*

8. 4 Reg. 5, 20. 18. Ib. 5, 22. Cuius loci, ut videtur, corrupti, sensum hunc esse puto: Papa ... dicitur ... superaddere nedum mendacium simplex, sed hoc mendacium blasfemum de papatu: esse excellentiae capere temporalia etc.

As leprosy fell upon Gehazi so the leprosy of simony has fallen upon the popes.

Nec dubium quin ex istis sequitur tercio proporcionalis conclusio Elizei. 'Nunc', inquit 'accepisti argentum et vestes, ut emas oliveta et vineas et oves et boves, servos et ancillas; sed et lepra Naaman adherebit tibi et semini tuo in sempiternum. Et egressus est ab eo leprosus quasi nix'. Et proporcionabiliter videtur esse de primo papa symoniaco quo ad deum. Lepra, inquam, secundum sanctos signat mistice symoniam, quia sicut nullus morbus est isto infectivior, ad solvendum continuitatem et formam deformancior, vel ad cohabitandum ex fetore vel voce horribilior, sic est heresis symoniaca. Nam nullum peccatum est isto infectivius, cum symoniacus inficit primo se ipsum, secundo conferentem supra se et tercio populum sub se, cui ministrat ecclesiastica sacramenta, ymmo populum undique inficit ex consensu. Et quantum ad secundum patet quod nimis solvit continuitatem membrorum ecclesie, cum quos debuit continuare cum Christo secundum formam ewangelii discontinuat et deformat secundum legem dyaboli. Et hec racio quare vocatur heresis, quod interpretatur divisio. Unde nullum monstrum aput deum deformius, licet videatur esse caput ecclesie. Unde signanter Aaron reprobatur et Maria soror sua percussa est lepra ut patet Num. 12; 'Ecce', inquit Maria, 'apparuit candens lepra quasi nix'. Et consequenter orat Aaron Moysen pro ea, quod non fiat hec quasi mortua et abortivum quod proicitur a wulwa matris sue. Nam tales aput deum proiciuntur extra matrem ecclesiam, licet videantur ipsam regere. Et quo ad tercium patet quod omnis fidelis horreret hanc lepram magis quam ipsum dyabolum; ymo fama ipsorum multos inficit, emittunt vocem aspidis et non tube; et ideo ordinati sunt in lege veteri, ut patet Num. 5, manere tanquam intollerabiles extra castra.

3. alimentum *pro* oliveta *a,* alimenta *g;* et *ante* oves *h solum.* 5. usque in *ceteri.* 9. infeccior *ceteri* 10. formam deformem deformacior *ceteri.* 11. quo ad *i,* quo *al. m. d,* ad *om. f,* habitandum *i,* et voce *ceteri.* 12. de heresi *ceteri.* 13. infeccius *ag.* 16. ymmo *in ras. a,* nunc *pro* ymmo *bg,* ymmo *om. cf, al. m. d,* et *pro* ym. *e.* 20. est racio *i.* 22. est def. *gi,* est *al. m. ad.* 26. sicut *i.* 30. Et quo *om. gi.* 31. horret *ceteri; ib.* ipsum *al. m. h, om. bi.* 32. eorum *ceteri.* 34. tam *pro* tanquam *bceg.*

2. 4 Reg. 26, 27. 25. Num. 12, 10. 26. Ib. 12, 11 et 12. 34. Num. 5, 2.

Candor autem lepre signat candorem ippocrisis quo in oculis fidelium simulant sanctitatem; et a primo papa symoniaco usque ad novissimum de generacione istâ omnes percussi sunt quasi irremediabiliter ista lepra. Et sic prius dignos indignificat, non promovet sed condempnat, et eo gravius quam Gesi, quo tanquam alter deus iustificat blasfeme peccatum periculosius contra Christum, et sic de bonis ecclesie, non suis, furatur summe sacrilege tamquam precipuus antichristus.

Simony as to patronage is of old standing in England.

Et quantum ad primos fructus prepositorum nostrorum quorum collacio ex eodem fonte processerat, ultra vires nituntur qui volunt excusare illud a symoniaca pravitate 1 questione 3 cap. *Si quis obiecerit;* et, quod detestandum est, tamdiu et longe diucius patens symonia quo ad patronos et suos clericos fuit defensata in Anglia. Aliquam tamen excusacionem habet in illis hoc vicium: primo quia non vendunt beneficium pro primis fructibus ut priores, sed tanquam legales ex heresiarcha prelato confirmacionem accipiunt. Secundo populo suggerunt licet false, quod sine illis primis fructibus non possent perficere officium eis attinens; unde non symoniace reddunt beneficium spirituale, sed predicacionem, correccionem et alia spiritualia carismata tanquam humiles servi Christi et populi. Sed relinquo populo occupacionem convincendi illud mendacium. Videnda est itaque forma a Petro et ceteris apostolis, secundum quam debent laborare in populo; et secundum necessitatem illius laboris pro se voluntaria emolimenta plebis accipiant: non ad voluptatem carnalem, non ad sumptuosum cultum mundialem, nec ad familiarem commutatum superfluum, sed adaptent studium, quam fructuose quoad spiritum et quam leviter et abiecte quoad mundum possunt perficere Christi officium.

III. Pretence that the payments are right because they have the pope's authority.

Tercia ficticia est hominis qui extollitur super omne quod dicitur deus; scilicet quod papa licenciat et

1. nitorem *pro* cand. *ceteri*. 2. similant *h*. 4. omn. qui perc. *ceteri*. 5. et non *abgi*. 6. ideo grav. *abcefg*. 6, 7. alius deus *i*. 11. precesserat *afg*. 12. ill. excus. *acefg*. 13. I — obiecerit *ante* quorum collacio (*in v. 11*) *legitur in ceteris*, in *e al. m.*, obiec. *om. befg, al. m. add. a*, obiceret *di*. 14. longeque *i*. 20. pape suggerent *h*. 21. possunt *ceteri*. 29, 30. corporalem *abcdef*. 31. familiarem *ceh*, famularem *ceteri; ib.* comitatum *bcde*, communicatum *fg, in textu ut g, al. m.* comutatum *a;* comitatam *h*. 33. licenciet *i*.

13. Corp. iur. can. c. 7, c. 1, q. 3 (Friedberg I, 413).

statuit, ut sic fiat. Nullus igitur mortalium debet ordinacionem vel decretum tanti patris supponere esse illicitum, sed acceptare ipsum humiliter et obedienter ut ewangelium; eo ipso itaque quo a papa emanat decretum, ex dispensacione sua fit licitum, licet aliunde foret symoniacum, quia aliter papa non posset cum symoniaco dispensare.

Hic dicitur quod omnes qui blasfemant in istam sentenciam extollunt antichristum super omne quod dicitur deus, quia innuunt papam inpeccabilem, et super hoc posse sic facere, quod indubie Christus nec secundum deitatem nec secundum humanitatem potest facere. Ideo, cum papa sit summe peccabilis, idem foret hominem prohibere, ne tractetur de sua potestate, nec iudicetur opus suum esse iniustum quidquid fecerit, et ipsum se profiteri antichristi discipulum et scolam suam velle contra Christum defendere. Et ideo dico cum beato ewangelista quod antichristi facti sunt multi, quia omnes qui opere vel favore tenent cum dicta sentencia, sunt antichristi. Nec timeamus corripere papam, dum in periculum ecclesie sic delinquit, quia ex hinc Christus vocavit Petrum Sathanam, Matth. 16, ne levis culpa sua transiret a fratribus inpunita, et hinc Paulus in facie restitit Petro, quia reprehensibilis erat, Gall. 2. Ambo ista indubie ad nostram doctrinam scripta sunt. Et hinc cesares et multe particulares ecclesie secundum leges suas nedum restiterant sed deposuerant multos papas, quia aliter oporteret desperare de papa peccante et odire ecclesiam quam seducit. Unde nulli plus inimicantur papis ac pontificibus quam illi domestici qui cessant eos corripere, et statum suum et vitam suam non cessant blasphemo adulacionis oleo delinire. Non sic enim fecit beatus Bernardus cum papa Eugenio, quem tamen

This is simply setting up the pope as Antichrist.

We must not fear to correct the pope.

1. statuat *ceteri (in d corr. in* — it); *ib.* eciam stat. ut *afg*, stat. eciam ut *bi; ib.* ergo *pro* igitur *ceteri.* 5. sit licit. *h.* 5, 6. for. al. *ceteri; ib.* poterat *d*, poterit *ceteri.* 6, 7. cum sym. *al. m. h.* 11. fac. sic *ceteri.* 12. deit. *bceh*, divinitatem *ceteri;* nec sec. hum., n. s. div. *ag.* 14. homini *ceteri.* 15. iniustum *h; al. m. ut h, in textu* iniquum *d*, iniquum *ceteri; ib.* et *al. m. h.* 18. manifeste *pro* multi *fg, in textu* manif., multi *al. m. ad*, multi manif. *bi.* 19. qui eum opere *afg*, q. tam op. *bc*, cum *cancellat. d*, cum *i; ib.* et fav. *ceteri.* 20. sunt *om. cdefgh, al. m. add. a.* 21. deliquit *abg, corr. ex* delinquit *f.* 22. Chr. sic voc. *bi*, sic *al. m. a.* 23. transiret sic a *i*, sic *al. m. a.* 25. Et ambo *ceteri; ib.* in nostr. *ac*, in *corr. in* ad *d.* 27. deposuerant *fgh*, deposuerunt *ceteri.* 29. inimicantur *alias* iniuriantur *b.* 30. et *pro* ac *bi;* potentibus *pro* pontif. *cg.* 31. suum *om. ceteri; ib.* ac vit. *ceteri.* 32. blaspheme *cde; ib.* dilinire *h; ib.* enim *om. ceteri.* 33. *primum* tamen *al. m. h.*

17. I Joh. 2, 18. 22. Matth. 16, 23. 24. Gal. 2, 11.

religiose dilexerat. Conceditur tamen quod contingit multos in isto inordinate procedere; ideo ut innitar ineffabili regule, suppono 15 condiciones episcopi quas declarat apostolus Thimoteo, que debent pape summe competere. Et ex eadem epistola suppono 20 condiciones pseudoepiscopi quas oportet antipape vel antichristo summe competere. Nec licet fideli istam fidem prohibere, ne Christianus ipsam cum suis sequentibus tractet, discuciat aut predicet moderate. Et ex ista fide audacter assero, quod sive Romanus pontifex sive Avinonicus sive quicunque alius has 15 condiciones bonas in summo habuerit, hic est papa, et si in summo habuerit has 20 condiciones, tunc est antipapa et maximus antichristus. Nec licet fideli istam fidem negare, aufugere, vel glosare extra sensum quem spiritus sanctus sibi inposuit, ut scola antichristi dicit, quod non licuit apostolo legem scribere, que ligaret papam sive Romanum pontificem, cum inferior non habet potestatem in superiorem suum.

They set the pope above the Gospel-law.

Ideo lex apostoli de episcopis fingitur competere episcopis solum subiectis papatui, sibi autem dicitur blasfeme licere super omnem legem dei vagari quomodocunque voluerit, quia quatuor ewangeliste cum Paulo et aliis apostolis non ligant papam, cum par in parem non habet imperium; et illud dicitur fons auctoritatis legis veteris. Ideo, ut fingunt, nulla lex dei nova vel vetus ligat papam; Christus autem voluit esse subditus legi dei, sicut necesse fuit ipsum implere ipsam virtute obediencie debite trinitati. Si, inquam, papa a lege apostoli de episcopis apostataverit, nullus est plus fugiendus, discredendus, vel persequendus, quia tunc est maximus antichristus. Et tota christianitas, si debet sequi eum

2. in vita *pro* innitar *bfg*, innitar *al. m. a.* 3. et infallibili regule *afg;* infallibili reg. *bcde;* reg. infall. *i; ib.* per *pro* episc. *i.* 4. summe *ceh*, fundamentaliter *ceteri.* 5. 20 *eh, pro* 20: 12 *ag*, secundo *ceteri;* 20 *om. b.* 6. apparet *bcefg, corr. in* opportet *ad.* 7. liceret *ag; ib.* fidem *om. ceteri.* 8. eam *pro* ipsam *aceg; ib.* suis cum *ag; ib.* sequacibus *ceteri; in textu ut ceteri, al. m. ut h: d.* 9. inordinate *gh, corr in* moderate *i*, moderate *f; ib.* et *om. a*, ex *om. i.* 10. quod *al. m. h; ib. pro* Avin.: canonicus *ag.* 12. si non *abgi.* 13. 20 *fh*, 2⁰ *d*, 20 *corr. in* 15 *e, om. ceteri; ib.* antichr. *al m. h.* 14. ipsam *i.* 16. non *al. m. h; ib.* legem Christi *bi*, Chr. *al. m. a.* 19. ipsis *pro* episcopis *ceteri.* 20. solum debere competere *ceteri; ib.* enim *pro* autem *h.* 21. dei licite vacare *ag*, dei vacare *bdf;* vag. *om. ce; ib* quomodocunque *dh,* quecunque *bcefg*, quocunque *ceteri.* 23. par in parem *eh*, per imperatorem *ceteri, in textu ut ceteri, al. m. ut h: di* 24. ill. dic. *al. m. dh; ib.* auct. *om. bcefg.* 26. subd. esse *ag.* 27. dei *om. bceh.* 28. inquam *dh*, enim *ceteri; pro* papa: quis *be*, Christi *f*, Christus *g*, quis *corr. in* papa *c*, papa *in ras. a.* 28, 29. a lege Christi et apost. *bi;* Chr. *al. m. a; ib.* apostot. quis de ep. *ag*, apostot. de ep. *ceteri.*

4. Tim. 3, 1 seqq. 26. Cf. Matth. 5, 17.

ut ducem, debet vitam suam, si illud excellenter compleverit, diligenter attendere; si autem ab isto exhorbitat, debet spreto papa secundum legem fidei sequi Christum. Sicut enim tripudiantes attendunt pedes coraule ut sibi conformiter moveantur, sic Christianus exercitus debet affecciones ducis sui attendere, et de quanto consequitur primum coraulam Christum, sequi ipsum, et si exhorbitat, illo expulso oportet sequi Christum. Et hinc Christus ordinat legem suam moventem affeciones debere cognosci ab omnibus Christianis et promittit se prompte adesse ubicunque in nomine suo duo vel tres fuerint congregati. Unde blasphemia est secunda ficticia qua dicitur oportere legem Christi cessare propter variacionem temporis, et secundum legem aliam, quam papa ordinat, est vivendum. Licet autem istud dicat clerus concorditer tam verbo quam opere, tamen nichil blasfemius dissipat legem Christi vel viam preparat antichristo, quia indubie indicat sacerdocium Christi translatum in antichristum, cum aliter non fieret legis sue eterne translacio, et sic supra legem antiquam et novam veniret tercia lex prophecie quam Judei expectant, et fieret monstrum in ecclesia supra corpus et animam.

Christendom should obey the pope only so far as he follows Christ.

Ideo omnes Christiani et precipue domini seculares secundum informacionem sacerdotis in lege dei instructi debent obstare istis erroribus. Sicut enim intellectus ecclesie deceptus est in materia de eucaristia in speculabilibus, ita eius affectus per eandem sectam deceptus est in operabilibus. Sed rogemus dominum nos iuvare, et patet quod sepe falsum assumitur, quod papa statuit et licenciat ut sic fiat. Non enim licet sibi quitquam statuere nisi quod fuerit explicite vel implicite in scriptura, sed ad quid statueret illud ad onus ecclesie, cum deus dedit formam completam, secundum quam dimissis aliis voluit fideles exequi legem suam. Ideo ve illis qui lacerant hanc ordinacionem et impediunt cursum vel ordinem verbi dei! Sicut enim homo mortuus non est homo, sic ficta licencia non auctorisata a lege Christi

It is especially the duty of rulers to oppose error.

2, 3. exhorbitat *ceh*, exorbitaverit *ceteri*. 4. trepidiantes *h*. 6. affeccionem *abcef; ib*. sui ducis *ag*. 7. sequitur *bdi*. 8. exorbitat *ceteri; ib*. ipso *ceteri; ib*. si oport. *ceteri*. 11, 12. 2 vel 3 in n. s. f. *bcdefi*, 2 v. 3 fuer. in n. s. *ag*. 16. cum *pro* tamen *hi*. 19. foret *a in ras.; ib*. legis *ceh*, legi *ceteri*. 20, 21. nov. et ant. *ag*. 23. specialiter sec. dom. *ceteri*. 26. est in m. d. enc. decept. *ag*. 29. sepe — et *al. m. h*. 30. licenciat *dh*, liceat *abcg*, licenciavit *i; ib*. quod ita fiat *ag*. 31. fuit *agi; ib* impl. v. expl. *ceteri*. 33. deus *al. m. h*. 35. et *pro* vel *ceteri*. 36. Sicut ergo *cfh*, enim *ceteri*.

non est licencia, sed presumpcio illicita antichristi. Aliter enim nichil quod papa approbat, foret inordinata volucio, et per consequens nec papa nec aliquis tractando cum eo vel suis comitteret symoniam: quod foret meridiana cecitas infidelis. Oportet ergo ad iudicandum aliquid esse ordinatum vel inordinatum consulere legem dei, in qua omnis dei volucio vel ordinacio est contenta; nichil enim est licitum nisi de quanto ordinacioni et volucioni dei fuerit conformatum. Sed heu! antichristus scripturam istam et sic voluntatem dei nimis obnubilat, ideo necesse est voluntatem dei remanere incognitam et voluntatem antichristi patule esse executam. Supposito ergo quod factum vel decretum pape sit illicitum, omnis Christianus debet attente supponere ipsum esse huiusmodi, ne sequendo cadat in foveam et ex parato laqueo diaboli decipiantur multe anime Christiane. Probatur sic: Papa debet supponere factum vel decretum suum huiusmodi esse malum atque illicitum, totus grex suus debet sequi ipsum in cunctis licitis: ergo totus grex suus debet supponere factum tale esse illicitum. Maior patet ex hoc quod papa debet de quolibet facto tali conteri et revocando per satisfaccionem deo et ecclesie confiteri, quod non faceret nisi supponeret factum suum fuisse illicitum. Unde cum sit valde peccabilis, requiritur in eo patencior satisfaccio, ne per eum residuum gregis dominici seducatur. Recoleret itaque vite Petri et sancti Elizei cum suis decretis et non symoniace acumularet sibi peccuniam propter mundum. Gesi enim affectus vite proprietarie, amando inordinate se ipsum, et detestans vitam pauperem et communem sancti Elizei domini sui, accepit de Naaman duo talenta, et simulando ac si nichil mali egisset, perquisivit sibi vineas et oliveta; sed audivit duram sed iustam divinam sentenciam, ut patet 4 Reg. 5,

The Pope should make public satisfaction when he has done wrong.

Warning from Gehazi

2. probat *g, corr. in* approb. *a,* approbet *i; ib.* fieret *ag; ib.* volicio *ceteri.* 5. ergo op. *bdf.* 6, 7. dei — omnis *al. m. h.* 7. volicio *ceteri;* inordinacio *h.* 8. *pro* enim: autem *acdefg,* namque *b; ib.* volicioni *ag,* voluntati *ceteri.* 9. confirmatum *h.* 10, 11. nim. — dei *om. abcefg, al. m. add. d.* 12. esse pat. *bcdefg.* 13. autem *pro* ergo *i.* 15. ex parato *dh,* ex aperto *bcefg, corr. in* in experto *a,* in experto *i.* 16. multe an. dec. *ag.* 17. Papamet deb. *h.* 18. esse huiusm. *ag.* 19, 20. totus — licitis *al. m. h.* 20. debet pape supp. *h.* 21. minor *corr. in* maior *c,* minor *ceteri; ib.* patet eo *ceteri; ib.* debet *in versu* 22. *post* tali *ceteri.* 23. nisi quod sic sup. *df,* ut sic *ceteri.* 25. patencior *dh,* potencior *ceteri.* 27. sancti *om. i.* 28. sym. *al. m. h.* 32. mali *al. m. h.* 34. et iustam *ceteri; ib.* dei sent. *i;* sic *om. i.*

15. Matth. 15, 14. 27. Cf. 4 Reg. 5.

sicut superius recitatur. Symon eciam, quia voluit emisse a Petro donum spiritus sancti propter peccuniam, audivit a Petro, ut dicitur Act. 8, decretum eiusdem spiritus: 'Peccunia tua tecum sit in perdicionem'; et licet Simon proposuit esse quoad mundum dives et inclitus, tamen de eo Petri sentencia est impleta. Nec phas est discredere, quin, sicut ista sentencia fuit iustissima, sic est in quemcunque Romanum pontificem sic symoniacum inevitabiliter inferenda. Quod autem non sic sentitur modo in signo sensibili ad instruccionem ecclesie, licet peccatum sit undique gravius, est portentum durissimum, quia signum evidens quod papa prescitus sic reprobus sit finaliter induratus, et sic ut aper diaboli mactandus tamquam desperatus non valere ad aliud permissus ad sui dampnacionem graviorem gratis sordescere. Nec populus exemplandus ex dei vindicta ab ipso ut in ecclesia primitiva est dilectus a deo, sed sicut peccat in signis ut sacramentis que infideliter solempnisat, sic puniatur in peccato signorum per que revocaretur ad noticiam vere vite; docet, inquam, fides quod idem est deus qui olim: non acceptor personarum, sed semper generaliter puniens hominem ut deliquit. Docet iterum eadem fides, quod sive papa sive quicunque alius episcopus tantum vel plus mercatur cum spiritualibus, tantum vel plus inclinatur ad mundum quam Simon vel Gesi, relicta lege dei et resipiscencia gravius punietur. Ad satisfaccionem talis perversi videtur michi quod oportet quod confitens peccatum publice revocet errorem ad instruccionem ecclesie, sicut leviora peccata Simonis et Gesi in scriptura fidei sunt inserta. O quam gloriosum foret exemplar ecclesie, si Urbanus noster VI renunciaret omnibus mundi diviciis sicut Petrus, ita quod in Urbano I et VI compleatur circulus, quo clerus religione Christi relicta in secularibus evagatur. Nec dubium quin cecus

and Simon Magus.

God punishes the people as well as the Pope.

Pope Urban should renounce all wealth and go back to the purity of Urban I.

1. recitabatur *ceteri; ib.* qui *ag.* 2. a P. em. don. *ag,* don. em. a P. *i.* 3. a Petro *i,* in P. *ceteri; ib.* eiusd. domini spir. *bcdefg.* 5. quoad m. esse *ceteri; ib.* et *om. h.* 6, 7. discedere *bc,* discere *fg, corr. in* discr. *a.* 7. quoniam *ceteri; ib.* fu. sent. *ceteri.* 10. insigne *g, corr. in* in signo *a.* 11. peccet *h;* und. sit *ceteri.* 14. lamquam *om. i.* 18. in sacram. *i; ib.* qui *h.* 19. revocare *bcefg,* revocatur *ceteri (a in ras.); in textu* ad presenciam, *al. m.* alias ad noticiam *b.* 22. delinquit *abfg.* 23. q. s. p. s. *al. m. h; ib.* quic. aliquis alius *i,* quilibet alius *ce.* 24. tant. *post* spirit. *om. ceteri.* 26. resipiscitur *bcefg, corr. in* sensibiliter *a,* sensibiliter *ceteri.* 27. vero talis *ceteri;* michi *om. acei; ib.* quod confit. *ceteri.* 30. inserta (ser *in ras.*) *a solum;* incerta *bcdefgh,* iusta *i.* 31. *pro* VI: II *bfg, corr. in* V *a,* V *i,* V *corr. in* VI *d,* summus *e.*

3. Act. 8, 20.

torpor dominorum secularium sit in causa quare tam gloriosus fructus et emendacio ecclesie retardatur, potens enim antichristus cum suis complicibus facit membra sua ex permissione dei adhuc sordescere.

Audacious and heretical claims made for the Pope's excommunication.

Ulterius omnis fidelis horreret hereses que sunt hodie per antichristi discipulos publice deffensate, ut publice dicitur dampnatum a Gregorio XI tanquam hereticum, quod non eo ipso quod papa pretenderit se quovis modo solvere vel ligare, eo ipso sic solvit vel ligat, et ille indubie qui posset facere oppositum illius katholicum extolleretur super omne quod dicitur deus, et per consequens foret omnipotens antichristus; episcopi igitur qui procurarunt huiusmodi dampnacionem et adhuc deffendunt tacite vel expresse, sunt indubie procuratores aut membra illius hominis maledicti. Negatur ergo tamquam summe hereticum quod eo ipso quo a papa emanat mandatum, est ipsum licitum et perficiendum ac cum eius opposito prius illicito dispensatum. Sicut enim Petrus non potuit dispensare cum levi veniali peccato, pro quo Paulus in facie sibi restitit, ut omnino non sit peccatum vel ut sit licitum, sic nullus papa sequens potest legem dei de symonia subvertere, nec potest dispensare cum aliquo de quantumcunque levi peccato, nisi de quanto deus prius dispensat et ipse fideliter promulgat conformiter voluntati divine. Tot ergo sunt blasphemie seminate de potestate pape, quod tam fidelis quam infidelis resisteret; nec tamen nostri episcopi nec doctores audent in causa Christi contradicere, sed tamquam canes muti non valentes latrare pusillanimiter consenciunt reticendo. Et hec est racio quare nimis magna pars vocate ecclesie est infecta. Nam infecta radice symoniaca pravitate necesse est venenum diffundi per totum stipitem, quia quitquid tantus hereticus fecerit est aput deum hereticum et a tota triumphante ecclesia maledictum. Ideo ut dixi in fine tractatus De Veritate Sacre Scripture, medicina est

3. fecit *bi.* 4. promissione *gi.* 7. *pro* XI: et sic *afg, corr. in* XI *d,* II *bcei.* 8. eo ipso *om. g, al. m. a.* 10. huius *ceteri.* 12. amplius *pro* omnip. *ce; ib.* episc. ergo *ceteri.* 13. procurant *ceteri, corr. in* procurarunt *d.* 16. ad papam *i.* 17, 18. ac tamen *bcdei,* tamen *al. m. a.* 19. pece. ven. *ceteri.* 20. omnino *corr. ex* modo *a;* modo *g; ib.* fit *pro* sit *i.* 21. sequ. vel episcopus pot. *ag.* 23. cum al. disp. *ag.* 25. provulgat *abdf; ib.* tot autem *ceteri.* 27. et tamen nec *bcdefi; nec om. g, al. m. add. a.* 32. rad. inf. prav. sym. *ceteri.*

7. Cf. Walsingham, Hist. Anglici. Rerum Brittanic. Scriptores XXVIII, I, 354. 36. De Verit. Sacre Script., cf. Addenda.

hereticos tales aufugere, instrumenta sua prudenter subtrahere et tribulaciones ac obprobria pro lege Christi equanimiter tollerare. Nam implicatus cum illis tam quo ad intelectum quam affectum necessario seducetur, cum seducent eciam, si potest fieri, electos, ut tam magna cecitas inducta est in ecclesiam per antichristum et suos complices de sacramento altaris, quod multi credunt nedum illud sacramentum esse accidens sine subiecto, sed ydemptice deum suum; et inter omnes cecitates que umquam permisse sunt a deo in ecclesiam cecidisse, magis mirabilis est, quod nedum populus, sed vocati sancti subtiliores doctores credunt quod quantitas, qualitas, ponderositas, vel fasciculus accidencium sit sine substrata substancia illud sensibile sacramentum, nec Avicenna, Algazel, Hali et alii philosophi sunt tantum decepti versuciis Machometi; ac si antichristus sic argueret: 'Si possum precipuos philosophos Christianos ad tantum seducere, quod credant modum rei vel accidens sine substancia per se stare, cum hoc sit summe inpossibile et inintelligibile nisi in cortice, contrarium scripture, sanctis doctoribus, legi ecclesie, racioni naturali, et sensui; si, inquit diabolus, in antichristo possum facere eos hoc credere, faciam eos credere de potestate pape et eius operibus quicquid voluero consequenter'. Et dico hoc esse inintelligibile, quia omnes philosophi huius secte ignorant voces proprias loquendo de accidente vel novem eius generibus varie explicatis, ita quod sicut adorant quod nesciunt, sic predicant quod non intelligunt; unde verecundantur in populo sentenciam suam detegere. Sed instinctu dei populus querit solicite quid est sacramentum altaris, cum non sit ydemptice corpus Christi; et nec populus nec pedagogus intelligit quod illud sit accidens sine subiecto. Nam secundum philosophos et sanctos accidens est modus

Heresies as to the Sacrament of the altar.

1. tal. her. *aceg; ib. pro* instrum.: ministeria *bcef;* misteria *corr. in* ministeria *a,* misteria *corr. in* instrumenta *d,* misteria *gi.* 3. cum istis *ag.* 4. qu. ad aff. *i.* 5. et si fieri pot. *ceteri; ib.* et electos *ceteri.* 10. promisse *i.* 12. sancti et subt. doct. ecclesie cred. *ceteri.* 15. nec Avic. *beh, corr. ex* ut *d,* ut *ceteri;* nec *ante* Alg. *a. al. m. d, om. ceteri.* 16. tantum *dh, om. ceteri.* 20. et *om. cdefg, al. m. a,* in *om. d, al. m. a.* 21. incorporate *ceteri. corr. in* in cortice *d; ib.* legem *h.* 23. eos hoc *ceh,* eos f. h. *f,* hoc eos *ceteri;* hoc *al. m. a, om. g,* taciam hoc eos cr. *d.* 25. in *om. g, al. m. a.* 27. eius *om. ceteri; al. m. d.* 33. Nam inxta *ceteri.*

5. Matth. 24, 24. 15. Avicenna, nomine Arabico Abu Ali etc. Ibn Sina, natus a. 980. Algazel (Aibu Hâmid etc. Al-Ghazzâlî), natus est a. 1059.

inherens substancie, quo ipsa non est aliquid, sed alicuius modi, et sic potest per vices abesse et adesse essencie remanenti. Et corespondenter seducitur affectus demerito et periculo in colacione temporalium que equivoce sunt accidencia clero vel episcopo, ut dixi superius, sic quod pro illis possunt infinitum excommunicare vel concedere indulgencias et alia spiritualia suffragia simulata.

CAP. VI.

How a bishop may incur simony.

I. In entering upon his office improperly.

Restat ulterius videre particularius quomodo episcopus potest incurrere symoniam; et patet ex dictis quomodo potest esse symoniacus in ingressu, in progressu et in egressu. In ingressu quandocunque quocunque medio capit sibi episcopale regimen pure vel pocius propter temporalia lucra, ut fastum vel questum seculi, quam propter meritum beatitudinis vel animas populi querendas deo per doctrinam legis sue verbo et opere; quod ex modo suo vivendi est facile iudicare. Sive ergo processerit munus a manu, sive a lingua, sive a ministerio, per curatum vel alium, dum affuerit hec inordinata volucio, comittitur symonia. In omni enim volucione sicut in omni positivo latet aliquid divinum; ideo in deordinacione quam nec papa nec deus potest iustificare latitat symonia. Modus itaque attendi conformiter debet ad voluntatem divinam, non querendo subterfugia, quod omnia talia possunt bene fieri, quia cum deus auctorisat et faciat, bene fit quodlibet positivum. Contingit enim hominem attendendo ad modum licitum meritorie superbire; nam Ys. 61: 'Vos autem, filii, sacerdotes domini vocabimini ministri dei nostri. Dicetur vobis: fortitudinem gencium comedetis et in gloriam eorum superbietis'. Quis enim dubitat, quin

1. est quid *g*, *corr. in* aliquid *a*. 2. adesse et abesse *ag*. 4. in collecte *bcefg*, *corr. in* in collecta *a*, cione *in ras. d; ib.* qui *h*. 7. ac *pro* et alia *ceteri*. 9. vid. ult. et part. *ceteri*. 11. et in progr. *a*, *al. m. gi*. 12. in egr. *defh*, in *om. ceteri; ib.* quomodocunque *ceteri*. 13. medie *befg*, *corr. in* medio *a; ib.* episc. reg. *dh*, temporale reg. *ceteri* (reg. temp. *i*). 14. temporale lucrum *ceteri; ib.* vel fast. *ceteri*. 16. sue leg. *ag; ib.* in verbo *ceteri*. 17. viv. suo fac. est *ceteri; ib.* ergo *om. h*, *al. m. d*. 19 procuratum *ceteri*, alium *fh*, aliunde *ceteri*, dum *om. dhi*; assumit *pro* aff. *befg*, *corr. in* affuerit *c*. 20. volicio *ceteri*. 21. volicione *ceteri; ib.* patrimonio *pro* positivo *ceteri; ib.* aliquod *bcef*. 23. instituere *pro* iustif. *e; ib.* itaque *al. m. h*. 23, 24. deb. conf. *bcdefi*. 27. positivum *h*, possibile *ce*, positum *corr. in* peccatum *d*, positum *ceteri*. 29. fil. dei sacerdotis voc. *i*; fil. sacerdotis dom. *d*. 30. gencium *om. abfg*, *al. m. di*, qui *pro* genc. *c*, *corr. in* gencium *e*.

28. Is. 61, 6.

sacerdotes Christi gaudebunt in hoc quod digni habiti sunt contumeliam pati pro nomine Jesu Christi domini sui? Ipsi autem comedunt spiritualiter, digerunt, et gignunt in domino gentes fortes, et in gloriam conversorum apostoli Christi superbiunt, quia in hoc superant populum iudicandum quem ipsi superent finaliter iudicantes, specialiter si ipsi gloriantur in tribulacionibus propter Christum, perseverantes finaliter in sancto proposito. Et hinc dicit Jeronimus Epistola 81 ad Eustochium filiam sancte Paule: 'Disce', inquit, 'in hac parte sanctam superbiam'. Ex istis patet, ut sepe dixi, non esse colorem hoc potest bene fieri, ergo non peccatur faciendo illud. Attendendum est, inquam, ad modum quem sancti limitant ex fide scripture illud debere fieri.

II. While bishop:

Contingit ergo episcopum esse symoniacum in progressu vite sue tripliciter. Primo, si post ingressum symoniacum omittit episcopale officium limitatum cunctis episcopis in Thimoteo, ut patet alibi. Et ista est longe gravior symonia quam illa que comittitur in ingressu, quia arra symonie prius data gravatur, cum in facto fedatur ecclesia lepra contracta a tali episcopo; ymo si contritus fuerit episcopus ad horam de symoniaco ingressu, post omittendo inordinate episcopale officium prior symonia, idem subiecto licet non tempore, reviviscit; ipse enim est finis malicie symonie prioris. Et patet ex descripcione symonie. Nam omnis talis habet inordinatam volucionem comutandi spirituale officium pro temporali precio; cum enim continue succedit novum episcopium, patet quod pro voluptate vel alia temporali causa inordinate commutans spirituale officium fit continue symoniacus. Et iste sensus videtur decreti 1 questione 3 cap. *Non solum,* ubi dicitur quod nedum illi qui vulgariter diffamantur symoniaci, verum hii qui graciam dei vel gradum vel graciam spiritualem in

a) By neglecting the duties of his office;

2, 3. domini dei sui *ceteri.* 3. degerunt *h.* 9. dicit *om. h; ib.* 82 *ceteri,* Eustachium *acf.* 10. filium *h; ib.* Paule *om. cef, al. m. d.* 11. sup. sanct. *ceteri.* 13. in faciendo *ceteri; ib.* ad *om. i.* 17. amittit *abcefg.* 18. ut pat. in Thim. alibi *ag.* 22. episc. *al. m. a, om. g.* 24. ipse *g, corr. ex* tempore *a.* 25. *pro* ipse: iste *corr. in* ille *d,* iste *ceteri; ib.* est *om. acefg,* fin. est *ceteri; ib.* eciam pat. *g, corr. in* et *a.* 28. quo *corr. in* continue *a,* quo *g.* 29. episcopium *h, corr. ex* episcopum *d,* episcopum *f,* peccatum *ceteri;* quod patet quod *ceteri; ib.* voluptate *cefh,* voluntate *ceteri.* 31. vid. sens. *ceteri.* 32. cap. *om. bcefg, al. m. a.* 33. defamantur *abfg;* symonia *ceteri.* 33, 34. Verum — dei, *al. m. a; pro his verbis:* Qui usum querit *bg,* quem usum gracia *c,* qui usum gracia *e;* usum *pro* verum *f,* hii — dei *om. f.*

9. Migne, Patrologia, Patres Latini, t. 22, 403 (16) (Ep. 22). 32. Corp. iur. can. c. 11, C. 1, q. 3 (Friedberg I, 417).

ecclesia, quam domino largiente perceperant, non simplici intencione, sed cuiuslibet humane retribucionis causa exercent; multo magis si omittunt spirituale officium propter accidiam vel instinctum dyaboli. Et si queratur cum quo mercantur, dicitur indubie quod cum dyabolo, quia officium vel occupacionem tam spiritualis officii faciunt mercandia stultissima esse suum.

b) by spending on himself the goods of the poor;

Secundo modo nimis graviter comittit episcopus symoniam, quando temporalia distribuenda pauperibus inordinate consumit in se, superflua vel sumptuosa familia, aut tercio in complicibus suis forinsecis, ut retinentibus militibus vel cognatis; in omnibus enim talibus inordinate comutatur episcopium propter lucrum turpissimum. Et ista est sentencia pape Gregorii 1 questione 3. *Pervenit*, que lex, quia est necessaria ad instruccionem ecclesie geminatur 16 questione 7: 'Pervenit', inquit, 'ad nos fama sinistra quod quidam episcoporum non sacerdotibus proprie dyocesis decimas atque oblaciones Christianorum conferant, sed pocius laycalibus personis militum videlicet sive servitorum vel, quod gravius est, consanguineis. Unde si quis amodo episcopus inventus fuerit huius divini precepti transgressor, inter maximos hereticos et antichristos non minimus habeatur, et, sicut Nicena synodus de symoniacis censuit, et qui dat episcopus, et qui recipiunt ab eo layci, sive precio, sive beneficio, eterni incendii ignibus deputentur.' Multis, inquam, videtur quod iuxta illud decretum sanctissimum et ex fide scripture verissimum maior pars episcoporum post dotacionem ecclesie inficit lepra symoniaca se et suos in tantum, quod si quilibet episcopus in Anglia

1. quem *g*, *corr. in* quam *a*. 1, 2. simpl. *corr. in* symoniaci *ad*, symoniaci *bcef*. 3. causa *al. m. h*; *ib.* tam spirituale *bce*, tam *cancellat. a*. 4. accidiam *corr. ex* accidencia *h*. 5. queritur *ceteri*; *ib.* mercantur *ceh*, mercatur *ceteri*; *ib.* dicunt *ceteri*, *corr. in* dicitur *d*. 5, 6. cum ipso dyab. *ceteri*. 6. vel occup. *al. m. h*; *ib.* tam *om. ceteri*. 7. merca c, *corr. in* mercancia *a*, mercam *corr. in* mercanciam *e*, mercandia *h*, *corr. ex* merita *df*, mercandia *ceteri*; *ib.* merc. diaboli stult. *ceteri*, diab. *cancellat. d*. 8. minus *corr. in* nimis *h*, unus *corr. in* nimis *d*, unus *ceteri*; *ib.* episc. *om. ceteri*, *al. m. add. d*. 10. conferunt *ce*, confert *ceteri*, *corr. in* consumit *d*; sumptuosam familiam *ag*. 11. forinsecus *b*, *corr. ex* forinsecis *a*. 12. et cogn. *ceteri*. 13. comittitur *g*, *corr. in* comutatur *a*, committatur *bce*. 13. episcopum *bcefg*, episcopus *i*, episcopium *ah*, *al. m. d*. 14. illa *ceteri*; *ib.* Greg. posita 1 *bcdefg*. 15. cap. Perv. *di*, cap. *al. m. a*; *ib.* quia est *om. h*. 16. 18 qu. *acefg*. 17. episcoporum *corr. ex* sacerdotum *h*. 18. diocen. *a*. 19. conferant *cdeh*, conferunt *ceteri*. 21. episc. repertus *ag*. 23. minimus *ah*, minus *ceteri*. 26. cercius *pro* multis *bcdefg*, *corr. in* multis *a*. 27. illud *ceh*, *om. ceteri*. 29. infecit *ceteri*.

14, 15. Ib. c. 13 (I, 417). 16. Ib. c. 3, C. 16, q. 7 (I, 801).

esset sensibiliter signatus signo bestie, audiens signatos hereticos posset se ipsum primo notare in vertice, et forte pauci vel nulli presbiteri aspirarent ad episcopium sic infectum. Infectum dico fetenti stercore temporalium collinito, quia illo subducto non sic inordinate afficerentur illis episcopis, nec sic distribuendo bona pauperum inprovide cum tanta laycali sarcina gravarentur, ut dicit decretum 1 questione 3, cap. *Ex multis* et 1 questione 1, cap. *Non est putanda*, teste scriptura: 'Qui aliquid male accipit, ut bene dispenset, gravatur pocius quam iuvatur.'

c) by avarice.

Tercio modo comittit episcopus symoniam inordinate coligendo peccuniam vel aliud pruriens temporale; et illud fit infinitis modis secundum cautelas diaboli qui diu studuit in hac arte. Nam non dubium, quin quicunque episcopus inordinate occupat illud officium propter laudem vel honorem mundanum, est symoniacus ut patet 1 questione 3, cap. *Non solum,* quia inordinate comutat cum diabolo spiritualitatem episcopii cum vanissimo temporali. Et quantum ad congregandum peccuniam sunt mille meandri per dyabolum machinati: ut nunc episcopus benedicendo ecclesias altaria vel cimiteria capit excessivam peccuniam, et nunc sacramenta vel sacramentalia, que ministrat, tam care vendit capiens peccuniam quanta sufficit per se vel suos. Quantum ad consecraciones locorum dicitur, quod capiunt comuniter quinque marcas vel amplius, et hoc ut legem statuunt et amplius observant quam evangelium, tardantes a solucione severissime puniendo. Numquid credimus illud posse excusari aput deum de heresi symoniaca, cum patenter vendunt benediccionem vel consecracionem pro precio temporali? Nec est racio plus de uno spiri-

Heavy fees for ceremonies.

1, 2. her. sign. *ag; ib.* primum *ceteri.* 3, 4. episcopium *dh,* episcopatum *ceteri; ib.* nec sic *ceteri.* 7. b. p. sic inpr. *a; ib.* layca *ag.* 8. quia dicit *ceteri; ib.* cap. *al. m. d, om. ceteri.* 9. et — putanda *om. abcefg, al. m. dhi.* 11. quam *al. m. h.* 12. modo *cefh, om. ceteri.* 13. purius temporali *bcg, corr. in* pinguius periens *a,* pinguius *corr. in* periens *d,* p. *om. e;* pinguus *f.* 18. cap. *dh, om. ceteri.* 19. committit *ceteri; ib.* cum diab. *al. m. h; ib.* episcopi *ceteri.* 21. meandri *al. m. ad,* modi manifesti *bce,* membri manifesti *fg.* 23. sacramenta vel *om. ag.* 25. quantam *chi; ib.* pro se *cfh, corr. in* per *i; ib.* et suos *ceteri.* 27. et hoc *al. m. h,* 28. obs. ampl. *ceteri.* 29. severissime *bdeh,* sevissime *ceteri.* 30, 31. de heresi — bened. *om. b, al. m. ag,* de — consecr. *al. m. d;* de her. — vend. *om. ef.* 30. deum iudicem *acdi.* 31. iudicionem *pro* bened. *cef; ib.* aut consecr. *abcefg,* seu consecr. *i.*

8. Ib. c. 9, C. 1, q. 3 (I, 415). 9. Ib. c. 27, C. 1, q. 1 (I, 369); ib. cf. Prov. 21, 27. 18. Cf. not. ad pag. 70 v. 32.

tuali episcopi ministerio quam alio, cur non licet illud vendere et non omne.

Emptiness of the pretences made for these charges.

Sed hic dicitur comuniter, quod labor corporalis venditur, non benediccio, et sic pro expensis, non pro consecracione, datur precium. Istud autem est simile facto ministri cuiusdam divitis sed avari: fertur enim dixisse magistro suo in nundinis, quod toti illius ville comunitati donant gratis aucas pingwissimas, sed carnes bovinas et alia comunia edulia care vendunt; ille autem fertur mandasse ministris comedere aucas donatas, sed ipse voluit refici grossis cibariis usitatis; sed in fine facto calculo carnes bovine inhauserant totum precium aucarum que fingebantur donari. Et ita videtur ecclesiam sophisticari in isto responso. Ideo 1 questione 3, in principio, destruitur ista ficticia sub hiis verbis: 'Temporalia', inquit, 'non spiritualia ementes, nequaquam symoniaci habendi sunt'. Et respondetur, quod non solum qui spiritualia, sed eciam qui temporalia eis annexa precio accipiunt symoniaci iudicantur. Unde Malachias I. eius capitulo ita loquens ex persona domini ait. 'Quis est', inquit, 'in vobis, qui claudat ostia et incendat altare meum gratuito? Non est michi voluntas in vobis, dicit dominus exercituum, et munus non suscipiam de manu vestra.' 'Ostia claudere', dicit Gracianus, 'non est sacri muneris officium, sed tantum sibi adiunctum. Nec dubium, quin sic posset excusari quelibet symonia. Item cum episcopus vendit turpiter corporalem laborem, videtur quod debet dare ipsum subiectis pro precio competenti. Sed constat quod longe minori precio posset parrochia emere tantum corporalem laborem ab operario alieno, quod episcopus ingrate ferret cum suis filiis. Nec valet dicere quod corporalis labor episcopi in isto est magis validus, quam tantus labor

1. min. ep. *ag; ib.* quam de alio *ag.* 8. commun. *i solum, al. m. add. a;* donavit *ai,* dent *c,* donat *e.* 9. edulia *ce,* vendibilia *pro* edulia *ag,* edilia *ceteri; ib. in textu* vendunt, *al. m.* vendidit *i.* 10. aut. fert. *om. bcef, al. m. d.* 12. calculo *ag; ib.* inhauserant *ceh,* inhauserunt *ceteri.* 14. Jo papa *pro* ideo *afg.* 16. via *corr. in* non *a,* via *bcef.* 17. Sed *pro* et *ceteri; ib.* videtur *pro* respondetur *gi, corr. ex* resp. *a.* 20. l. eius cap. *om. bcef, al. m. a; ib.* ita, *om. ceteri.* 21. nobis *b, corr. ex* vobis *a; ib.* hostia *ceteri.* 22. gr. alt. m. *h; ib.* gratuito *ceh,* gratuite *ceteri.* 23, 24. accipiam *abg, corr. ex* susc. *d.* 25. satis mun. *bceg,* sacri *al. m. d, om. ceteri.* 26. possit *i.* 26, 27. sym. *al. m. h.* 28. dare *om. ceteri, al. m. d.* 31. ergo *pro* quod *ceh, corr. ex* quod *d; ib.* ferret *acefg,* faceret *dh,* fert *ceteri.* 33. in isto sit validior *ag.*

15. Corp. iur. can. C. 1, q. 3, Gratiani verba. 20. Malach. 1, 10. 24. Ibidem.

layci, quia hoc non haberet colorem nisi propter spirituale annexum; et per consequens cum propter illud precium tam excessivum accipitur, videtur quod principaliter illud est tam care venditum quia infame foret episcopum tante dotatum tam care vendere corporale laboricium tam abiectum. Item queritur, quanti in veritate valet tantus labor corporalis episcopi; et cum quondam minus valuit quam modo, ymo minus valet in suffraganeo quam in domino episcopo, videtur quod plus valet secundum gravitatem persone et indigenciam parrochie ad illum laborem. Cum ergo unus episcopus sit reliquo gravior, et indigencia talis consecracionis potest infinite fingi et carius appreciari, videtur quod talis labor episcopi potest ad votum in precio extolli; et si expense pensantur, episcopus propter tales labores habet dotacionem pingwem a rege et regno, ymo sumptuositas inordinata episcopi in equis et superflua familia redundaret in sumptuosum dampnum ecclesie, quod licet sit verum, est omnino iracionabile. Et eodemmodo comittitur symonia, si conducitur suffraganeus ad coligendum peccunias in talibus abiectis opusculis. Item videtur quod talis labor episcopi sit infinitum valencior quam tantus labor layci; sed tantus labor layci valet obulum, ut suppono, ergo ille labor episcopi valet infinitam peccuniam. Vel ergo donet eam gratis vel pro equo precio iuste vendat. Assumptum patet, quia signata pro porcione racionali oportet consequenter in casu concedere, quod benediccio episcopi valet ex equo obulum, ut posito, quod totidem benedicciones disseminet, quot obulos recipiet, preter unum; et tamen valorem talis benediccionis negaret villicus. Et theologus diceret quod in tali venditore columbarum foret fetidum venenum, quia secundum beatum Gregorium et decretum 81 distinccione cap. *Si qui sunt*, deus illi, cui talis benedixerit,

4. est ill. *adfg;* causa tam care *abfg*. 6. *pro* queritur: communiter *d*, quia *ceteri*. 7. carnalis labor *i*. 8. quond. *corr. ex* quidam *a;* quod *c*, quibusdam *g; ib.* valet in *al. m. a, om. g*. 13. gravius *bcefg, corr. in* carius *a*. 16. et a regno *ag*. 17. equos *g, corr. in* equis *a*. 23. Sed — laici *al, m. adh*. 24. ut supp. *al. m. h*, supponitur *ceteri*. 26. aliquo pr. *i; ib.* argumentum *pro* ass. *ceteri*. 28. ex quo valet *ag*. 29. diffiniet *pro* dissem. *abcf*, differt *e*.. 30. oblaciones *corr. in* obul. *ad*, oblaciones *bcefg*. 31. vetaret vill. *i; ib.* vill. *in rasura a, om. b*, vallitus *cef*, Vallerius *g*, wallicus *h*. 32. columb. *al. m. a. om. g; ib.* fetidum *in ras. a;* seduccio venen. *bg, pro* venenum: seducto *ch*, seductum venenum *d*, fet. *om.*, seducto ven. *ef*. 33. Greg. *corr. in* Gracianum *d*. 34. cap. *om ceteri; ib.* illi *al. m. a, om. g*.

33. Corp. iur. can. c. 15, D. 81 (Friedb. I, 284), cf. Malach. 2, 2.

maledicit. Ymo videtur quod longe minus malum foret celebrare sub divo, quam in loco taliter benedicto; lepra enim spiritualis inficit parietes et loca distancia, cum deus pro leviori peccato submersit Sodomam et Gomoram. Quantum ad istud videtur michi indubie quod in talibus consecracionibus heresis symoniaca est comissa; quia quandocunque verificatur de consecrante dicta descripcio, tunc consecracio episcopi non est vera consecracio, sed execracio et malediccio retardans fideles a ministerio debito deo suo. Nec est facile fingere causam introduccionis et reservacionis huiusmodi consecracionis episcopo, si non lucrum et preeminencie episcopalis superba ostensio.

No warrant in Scripture for reserving these functions to bishops.

Nec occurrit ex scriptura, quare sanctus laycus vel quilibet sacerdos non posset taliter benedicere et sacrare. Sic enim assistente sacerdotali copia Salomon consecravit et benedixit templum 3. Reg. 8. Et sacerdotes benedicunt et consecrant eukaristiam, quod est infinitum prestancius, ut notat Jeronimus et ponitur in decretis 95 distinccione cap. *Ecce ego dico,* ymo videtur quod si propter tam peregrinum et leviter fundatum opus episcopi locus benedicitur vel consecratur, multo magis propter tam presentem benediccionem presbiteri, dum consecrat corpus Christi. Et grave videtur cum tot cerimoniis onerare ecclesiam, ut patet in materia de cessacione legalium et specialiter ex sinodo apostolorum Act. 15, et ex decreto Augustini posito 12 distinccione, cap. Omnia, et ex dicto beati Isidori 8 Ethimologiarum cap. Heresis. 'Nobis', inquit, 'nichil ex nostro arbitrio inducere licet, sed nec eligere quod aliqui de arbitrio suo induxerunt. Apostolos dei habemus auctores, qui nec ipsi quitquam ex suo arbitrio quod inducerent elegerunt, sed accepta a Christo disciplina fideliter nacionibus assigna-

1. mala *bcefg*. 3. quia lepra *i*. 5. michi *om. i*. 8. et tunc *abcefg*. 11, 12. ep. cons. hu. *ceteri*. 12. preminencie *h*. 16. sacramentaliter *bfg, corr. in* sacrare *a; ib.* copia sacerdotum *b*, sacerdotum copia *d*, sac. cop. *om. e*, sacerdote, *om.* copia *ceteri; ib.* Salomone *e*. 17. 2 Reg. *dh*, 3 *om. bcfg*, 3 *al. m. e*. 18. hostiam eukaristie *b*. 19. illud *ante* Jer. *omnes praeter h;* ill. *corr. in Jer. d;* Jer. *al. m. a, om. fg*. 20. dist. 95 *ceteri; ib.* cap. *om. ceteri*. 21. tam pr. *ceteri*. 22. et cons. *abcef*, et *corr. in* vel *d;* con. *om. h, cancell. d*. 25. circumstanciis *bcefg, corr. in* cerim. *ad*. 27. 2 *in ras.? corr. in* 12 *a*, 12 *fh*, 15 *ceteri; ib.* cap. *om. ceteri*. 28. cap. Hester *bcefg*. 30. aliqui *ef*, aliquid *ceteri; ib.* de arb. *efh*, ex arb. *ceteri;* de *al. m a*. 30, 31. induxerunt *afgh*, induxerint *ceteri*.

17. 3 Reg., 8. 20. Ib. c. 6, D. 95 (I, 333). 27. Act. 15, 5 seqq. 27. Corp. iur. c. 12, D. 12 (I, 30). 28. Migne, Patrologia, Patres Latini, t. 82, 206.

verunt. Itaque et si angelus de celo aliud ewangelisaverit anathema vocabitur.' Talia sunt multa dicta sanctorum ex quibus docemur seduccionem in signis evadere, contenti paucis sacramentis que fides scripture instituit. Quod si alia signa honesta implicita in scriptura surrepserunt, cavendum est primo, quod secundum ordinem et formam quibus instituta sunt primitus observentur, et secundo quod postposita lege scripture non nimium ponderentur. Consecracio vera limitata episcopo potest cum istis bene fieri; ymo episcopus potest in necessitate vite necessaria, subducta exaccione, benediccionem gratis dancium, quibus ministrat, licenter recipere, ut docent multe leges in 5. decretalium De Symonia. Sed illud sine symonia raro vel nunquam invenies, ymo videtur dotacioni incompossibile. Unde 1 questione 3, cap. finali, sic scribit papa Innocencius: 'Si quis prebendas, vel prioratum, seu decanatum aut honorem, vel promocionem aliquam ecclesiasticam, seu quodlibet sacramentum ecclesiasticum, ut puta crisma vel oleum sanctificatum ad consecracionem altarium vel ecclesiarum, execrabili ardore interveniente avaricie, per pecuniam acquisierit, et honore male acquisito careat et emptor atque venditor et interventor nota infamie percellatur. Et nec pro pastu nec sub obtentu alicuius consuetudinis ante vel post aliquid exigatur, vel ipse dare presumat, quoniam symoniacum est; sed libere absque diminucione aliqua collata sibi dignitate atque beneficio perfruatur.' Ex ista lege sancta patet, quomodocunque glosaverint doctores, quam spissim in istis decem symonia comittitur, et specialiter secundum fucum consuetudinis, honoris vel reservacionis primorum fructuum,

Need of care in the use of ceremonies.

4. et contenti *abcef; ib.* fideles *i; ib.* instituerunt *i.* 5. alia *bh*, alias *cefg*, aliqua *ceteri, in a in ras.* 5, 6. surrepserit *ceteri.* 6, 7. informacionem et ord. *f*, f. e. o. *ceteri.* 8. preposita *ceteri.* 9. vero *bcef; ib.* licita *bcefg, corr. in* limitata *ad; ib.* pontifici *pro* ep. *ceteri.* 10. c. ist. b. p. f. *a; ib.* in nec. p. *i.* 11. vite *al. m. a;* mittere *fg, corr. in* vite *d; ib.* benediccionum *dhi.* 14. *pro* raro: parumper *abf, corr. in* rarenter *d*, patenter *ce*, rarenter *gi.* 15. donacioni *i; ib.* impossibile *chi.* 17. archidiaconatum *g, corr. in* prioratum *a; ib.* vel dec *ag; ib.* vel hon. *h.* 18. aliqu. a nostra ecclesia seu *bg*, sticum *in ras. a.* 20. *pro* sanctificatum: consecratum *h; ib.* ad cons. *ceteri*, et *corr. ex* ad *d.* 21. avaricia *ceteri, corr. in* cie *d.* 22. et *al. m. h, om. ceteri.* 23. interemptor *g, corr. in* interv. *a.* 23, 24. procellantur *i*, percellatur *ceteri; ib.* per pastum alias pectum *b*, per pastum *c*, per pactum *e.* 25. et ipse *ceteri, corr. in* vel *d.* 26. et hb. *h.* 29. doct. glos. *ceteri; ib.* spissim *in rasura a*, sepissime *g; ib.* decem *dgh, om. ceteri.* 31. vel *om. e*, et res. *ceteri.*

1. Cf. Gal. 1, 8 et 1, 13. Decr. Greg. IX, L. V, tit. III (Friedb. II, 749 seqq.). 15. Corp. iur. c. 15, C. 1, q. 3.

cum sic diminuetur instrumentum officii ad dei ministerium exequendum.

Fees for consecration of ornaments &c.

Et eadem consideracio est de aliis ministeriis episcopi, ut confirmacione, ordinacione, et crismatis vel vestium ac ornamentorum consecracione. In confirmacione vero, quia levis, brevis, et publica, comuniter non recipitur corporale stipendium per episcopum vel ministrum. Sed in aliis sophisticatur ecclesia ministris symoniace recipientibus et episcopo facto symoniaco

Fees to clerks and barbers.

per consensum; dicitur enim in ordinacione clericorum quod clericus pontificis inscribens nomen ordinandi, barbitonsor eciam si non raserit ordinandum, quod est magis mirabile, presentans eciam litteras dimissorias non rehabebit easdem, antequam census sit dyabolo solutus, sic quod collectis symoniacis in minimis ministrorum, in ordinacione episcopi annuali acrescit ad multas libras magnus cumulus symonie. Nec refert de quantitate inpensi, cum sicut vidua paupercula mittens quadrantem in gazophilacium misit plus omnibus aliis, sic clericus spoliatus de quadrante ex plus inordinata volucione, ex maiori heresi symoniaca spoliatur. Cum autem omnes dicte ministrorum rapine redundant in magistrum ut archihereticum, patet quam culpandus est magister eorum, episcopus, qui permittit se percuti symonia tam multiplici pro precio tam vili. Unde 1 questione 2 in communi precipitur in cap. *Sicut:* 'Sicut episcopum non decet manum quam inponit vendere, ita minister vel notarius non debet in ordinacione eius vocem suam vel calamum venumdare'; utrobique

The bishop pretends to know nothing of such practices,

enim est eadem racio symonie. Sed hec est communis responsio: quod hec fiunt ignorante episcopo; ymo minister episcopi ista non exigit sed licite accipit gratis datum: Et fundat se super lege predicta dicente: 'Is',

1. et sic *fg, corr. in* et *a.* 3. est *om. i,* est cons. *ceteri.* 4. et *et* vel *om. g, al. m. a; ib.* carismatis *h.* 5. autem orn. *h; ib.* consecr. — comun. *om. f.* 6. levius brevius *i, corr. ex* levis brevis *a.* 12. quod si *bcefg, corr. in* eciam si *ad; ib.* ordinatum *corr. in* ordinandum *d,* ordinatum *ceteri.* 13. eciam *al. m. ah, corr. ex* 4 *d,* 4 *bcef, om. ceteri.* 14, 15. diab. sit persolutus *i,* per *al. m. a.* 15. minuciis *ceteri.* 17. per multas *abfg.* 20. cunctis aliis *ceteri.* 21. volicione *ceteri; ib.* multiplici her. *bfg, corr. in* maiori *a.* 23. ac *pro* ut *g, corr. in* ut *a; ib.* archiemberticum *befg, corr. in* archiheretici *ad,* archiepiscopum *c.* 26. quest. 3 *ceteri.* 26, 27. in c. Sic. *om. bcefg, al. m. ad.* 30. hec *i, corr. ex* hic *d,* hic *ceteri.* 31. ignorato *g, corr. in* ignorante *a.* 32. ista *bcefh,* ita *ceteri.* 33. fundatur *ceteri; ib.* Is *dh, om. ceteri.*

18. Cf. Marc. 12, 42. 26. Corp. iur. can. c. 4, C. 1, q. 2 (Friedberg 1, 409). 33. Ibid.

inquit, 'qui ordinatus fuerit, si non ex pacto, neque exactus nec petitus, post acceptas cartas et palium offerre aliquid cuilibet ex clero gracie tantummodo causa voluerit, hoc accipi nullomodo prohibemus, quia eius oblacio nullam culpe maculam ingerit, que non ex ambientis peticione processit.' Quantum ad primum patet quod episcopus, qui hoc cognoscit vel debet cognoscere et non corrigit vel abicit, tanquam alter Elizeus qui punivit et abiecit Gezi, est censendus tanquam particeps criminis ex consensu. Et quo ad legem patet quod opus vel voluntas ministri episcopi contradicit. Nam ordinati pauci vel nulli, quidam ex indigencia et quidam ex consciencia lepre symoniace, gratis offerunt ministris episcopi quequam dona; sed ordinatus hec negans vel ponit vadium vel excludetur ad hostium vel aliunde deteriorabitur ad longe plus quam a suo socio est exactum; et illud indubie genus est exaccionis turpissimum, ideo nichil exactori sic cupido et legi predicte. Sic enim possent fingi excusaciones infinite, ut, quod clericus non emit vel cupit spiritualem dignitatem, cum sit oneris et non fructus, sed fit comutacio de temporali annexo; vel si circa illud contenditur, fingitur nuda empcio usus lucri temporalis dimisso eius dominio; et sic de infinitis stultis ficticiis. Ideo optimum iudicium est de symoniaco, videre si compleat ministerium quod requirit eius officium, et penes illud iudicare eius pravitatem symoniacam. Posset enim tercio fingere, quod non emit temporale huiusmodi annexum spirituali officio, sed eius usum, et tales duplices indubie non emunt beatitudinem, et tunc secundum beatum Gregorium Super Ewangelia Omelia 5. nunquam habebunt illam.

or it is said that the gifts are free.

The bishop ought to know,

and the gifts are always extorted.

2. paululum *befg, corr. in* palium *ad*, paulum *c.* 3. cuilibet *bdfh*, cuiuslibet *ceteri; ib.* ergo *ante* gracie *omnes praeter dh*, gracie *om. bcefg*, *al. m. a.* 4. cum *pro* causa *bcfg.* 9. contempnendus *cefg, corr. in* censendus *ad.* 11. vol. vel min. op. *ag*, op. min. *ceteri.* 12. quidam *in ras. a*, quod *pro* quidam *bfg.* 14. quodque *ag*, queque *i.* 14. donum *ag.* 16. plus, alio quam *i*, alio, *al. m. ad.* 16, 17. suo soc. *ceh*, soc. suo *ceteri.* 16. istud *i; ib.* exacc. est *ceteri.* 18. exactori *ceh*, exactore *ceteri.* 20. nec cupit *ceteri.* 21. honoris *bg, corr. in* oneris *ad; ib.* non *om. bcefg. al. m. ad; ib.* fit *om. i.* 25. complet *ceteri.* 26. eius iudicium assumi et *bfg;* eius iudicium vel officium et, *acei* (vel *om. ce, al. m. a*, off. *in ras. a*), iudicium *cancell. d.* 26. per eum illud *bfg*, penes *om.*, *spacium relictum e.* 29. sed est *bcefg. corr. in* eius *a; ib.* osum *bceg*, esum *f.* 31. ewangelium *adf.*

31. Migne Patres Latini 76, 1093.

The law forbids all such extortions.

Unde ad excludendum talia sophismata dyaboli scripte sunt mille leges a papis et sanctis doctoribus, ut 5. decretalium De Symonia cap. I. precipitur: 'Pro ordinacione igitur, cartis atque pastellis eum qui ordinatur omnino aliquid dare prohibemus.' Et 1 questione 3, cap. *Si quis obiecerit,* tollitur hoc sophisma, ubi dicitur, 'quod licet ecclesia non possit esse hic sine temporalibus, sicut nec anima sine corpore, tamen quisquis alterum horum vendit dei iudicium non evadet. Nullus ergo emat vel vendat aliquod ecclesiasticum nec pastellum vel pastum ante vel postea pro hoc solvat.' Et gravis pena inponitur episcopo incidenti in illud vicium per se vel ministrum, ut patet 1 questione 1, cap. *Quitquid.* Et idem est iudicium de quocunque quod episcopus in quantum huiusmodi, vel clericus in quantum clericus populo administrat, cum enim debet in omnibus talibus esse minister dei, qui supra humanam operacionem ministranti et operanti dat graciam ad devotum ministerium sortis sue. Quam blasfema foret presumpcio vendere tam cupide tam spirituale ministerium quod Christus Matth. 10 precepit gratis dari! Unde ex consilio Romane ecclesie 1 questione 1 sic scribitur: 'Dictum est solere in quibusdam locis pro percepcione crismatis nummos dari, similiter pro baptismo et comunione. Hec symoniace heresis detestata est sinodus et anathematisavit, et ut de cetero nec pro ordinacione, nec pro crismate vel baptismo vel balsamo, nec pro sepultura vel communione quitquam exigatur, statuit; sed gratis dona dei gratuita dispensacione donentur. 'Quotlibet sunt leges huiusmodi, sed ex ignorancia populi et desidia episcopi cum cautela dyaboli sunt sopite.

1. ad *cdh, al. m. e, om. ceteri; ib.* scripte *om. h.* 2. ut *om. bf.* 3. in 5 *afg.* 4. ord. aut seu cartis *bcef,* seu *ceteri; ib.* aut pastellis *ag.* 5. cap. *om. ceteri.* 6. abiecerit *h.* 7. quelibet *bcefg, corr. in* quod licet *d.* 8. quisque *ceteri.* 9. aliter *a,* alter *bfg; ib.* evadit *ceteri.* 10. vend. aut em. *i.* 12. iudicium *i, corr. ex* vicium *a.* 13. *pro* cap.: Et non idem *abefg,* non *c.* 15. in qu. cl. *om. h, al. m. d.* 16. deb. i. o. t. *bfh,* i. o. t. d. *ceteri.* 17. oper. — 18. et *om. e,* operacionem *dh,* opposicionem *c,* racionem *ceteri.* 18. min. et *al. m. a, om. bcdfgh,* oper. *om. cdh.* 18, 19. ministrum *g, corr. in* ministerium *a.* 19. Quam *om. h* (rasura). 21. 16 *acefg.* 23. est *om. hi; ib.* ut pro *codices.* 24. dari *acdefg,* dare *ceteri; ib.* que *ceteri, corr. in* hec *d.* 25. symoniaca *ceteri; ib.* anathematisat *bcf.* 26. et *om. h.* 27. vel bals. *bcefh, om. ceteri; ib.* vel pro *bi.* 29. dona Christi *ceteri; ib.* disp. Christi don. *di.* 30. ex *om. g, al. m. a; ib.* et *ceh,* vel *ceteri.*

3. Corp. iur. can., Decretal. Gregorii IX, V, 3, 1 (Friedberg II, 749). 5. Ib. c. 7, C. I, q. 3 (Friedberg I, 413); verbis compluribus mutatis. 13. Ib. c. 101, C. 1, q. 1 (I, 398). 21. Matth. 10, 8. 22. Corp. iur. c. 105, C. 1, q. 1 (I, 399).

Tercio quidem dicitur quod citator vel scurra alius emet ab episcopo vel clerico suo officium talia defferendi, et ille exigit fraude diaboli pecuniam maiorem vel minorem pro officio deferendi; et sic de denariis confessionis, de munusculis pro baptismalibus calide introductis, ita quod sicut benediccio vertitur in malediccionem, sic elemosinarum collacio vertitur in exaccionem, et episcopalis dotacio in rapture populi preparacionem. Et hoc oportet, cum pompantes de potestate sua spirituali ultra sanctos apostolos, tanquam alter Roboam figurant divisionem ecclesie per heresim symoniacam, sicut Roboam per pompam infinitum minus malam figuravit scissionem regni Salomonis per Jeroboam, ut notat Crisostomus Omelia 1 Operis Inperfecti. Quomodo, rogo, episcopus dotatus pingwiter cum bonis pauperum conducit care garciones pro custodiendis equis superfluis, et innumeros ministros curiosos, inpertinentes episcopali officio et tamen non curat neglecta provisione ministrorum sui officii mille modis comittere symoniam? Vel ergo habeat ministros ad hoc quibus plene subveniat de bonis comunibus, vel omittat inficere populum lepra symoniaca, cum debet sanare oves morbidas et non prius mundas insanabiliter maculare. Quomodo, queso, requireret fidelis episcopus a ministro suo fructum compositum de servicio mundano, quod sibi attinet, et de spirituali ministerio comunis ecclesie minus curat, ymo ministros suos, vel ob favorem seculi, vel ut habeat eos pro viliori precio, permittit multipliciter symoniace evagari? Non dubium mundus, non deus, est effectualiter deus talis infidelis episcopi, cum mundi officium magis curat; debet enim episcopus de bonis pauperum precise quantum est necessarium ad sui

The bishop's officers are said to buy their office.

1. *pro* tercio: modo *ceteri; ib.* quid *ahi; ib.* ci *in ras.* (*in* citator) *h*, lectator *ce*, lccator *ceteri.* 2. talia — 4. officio *al. m. h.* 3. exiget *bfg.* 4. de *ante* den. *om. bcef, al. m. a.* 5. baptismate *ceteri.* 6, 7. elemosine collecio *ceteri.* 9. de peccato *afg; ib.* suo *abfg.* 10. faciunt *abfg, corr. in* figurant *d*, faciant *ce*, fingant *d; ib.* divisionem *ceh, corr. ex* dyoce-im *d*, dyocesim *ceteri.* 12. minus *om. bcefg; ib.* malam *bcefh*, malum *ceteri; ib.* ministravit *ceteri, corr. in* figuravit *d: ib.* scissionem *al. m. h.* 13. regni *bdfh, corr. in* rei *a*, regnum *g*, rei *ci*, regum *e.* 16. carciones *bcefg.* 19. Vel igitur *ceteri.* 22. salvare *abcefg, corr. in* sanare *d.* 24. requireret *c. h, corr. ex* requirit *d*, requirerit *a*, querit *f; ib.* requirit *ceteri.* 24. fructum — 26. minist. *om. abcefg, al. m. d.* 24, 25. compotum *h.* 28. leviori precio *c.* 29. Indubie *ceteri; ib.* non *om. bcefg, al m. ad.* 30. effect. *corr. in* efficienter *d; ib.* deus *om. bcefg, al. m. ad; ib.* ep. inf. *ceteri.* 32. precise *h, corr. ex* persone *d*, persone *f*, per se *ceteri.*

ministerium consumere cum timore, et cum habeat omnia bona sua in comuni, residuum provide dispensare. Debet enim quicunque episcopus habere quecunque talia que occupat tamquam bona pauperum in comuni, ut patet ex allegata lege Gregorii *Pervenit*, 1 questione 2, cap. *Pastor ecclesie* et cap. sequenti, *Si quis non vult*, cum multis eis similibus; et racio religionis Christi ad illud necessitat. Ex quibus convincitur exigencia, quod tucius et perfeccius foret episcopum habere pure alimenta et tegumenta, ut precipit apostolus 1 Thim. 6, quam quantamlibet affluenciam temporalium quibus ecclesia est dotata, quia quantum ad personam pastoris pertinet eque, parce et moderate pascere corpus suum, et quantum ad peregrinum et laycale officium de deffendendo ac distribuendo bona pauperum patet, quod nedum adiacet grande periculum, sed error maximus, ex quo totum genus hominum symoniace est infectum. Et hoc movebat me sepe dicere quod domini temporales debent auferre temporalia ab ecclesia delinquente. Docet enim Gregorius quod prelati incurrunt antichristinam heresim propter inprovidam distribucionem bonorum pauperum onerose familie, militibus, et cognatis; et 1 questione 2 docet decretum Jeronimi in cap. *Clericos:* 'Clericos,' inquit, 'illos convenit ecclesie stipendiis sustentari, quibus parentum et propinquorum nulla bona suffragantur. Qui autem ex bonis parentum et suis opibus sustentari possunt, si quod pauperum est accipiunt, sacrilegium profecto comittunt et per abusionem talium iudicium sibi manducant et bibunt'. Unde quod omnia episcopi debent esse comunia, scribitur eadem questione capitulo finali: 'Clerici omnes qui ecclesie fideliter vigilanterque deserviunt, stipendia sanctis laboribus debita secundum servicii sui

It would be better for a bishop to have simply necessaries than to be richly endowed.

1. consumere *al. m. h; ib.* habet *ceteri.* 2. providere *i.* 3. habet *bfg, corr. in* habere *ad.* 5. Provenit *abefg, add.* triplex lex *cefg* 6. cap. Past. *dh,* cap. *om. ceteri; ib.* lege sequ. *ceteri. corr. in* cap. *ad* 7. Christiane *bcefg.* 8. ad *om. bcefg,* ill. nunciat *bfg, corr. in* necess. *a; ib.* exig. *om. abcdefg.* 9. que *hi.* 10. 1 *om. ceteri;* Thit. *i.* 11. quantalibet affluencia *bcefg.* 13. parce *al. m. h* 15. diffendendo *h.* 17. tantum *bcefg, corr. in* totum *a.* 19. seculares *ceteri.* 22. bon. temporalium *ceteri; ib.* fam. *al. m. a. om. g.* 24. Gregorii *g, corr. in* Jeron. *a; ib.* in c. Cl. *om. ceteri.* 25. et *om. bcefg, al. m. a.* 27. bonis *g, corr. in* operibus *a,* operibus *h* et *ceteri; ib.* si illud quod *ceteri.* 29. ambicionem *h.* 30. quia *ceteri.* 31. in eadem *ceteri.* 32. des. vig. *ceteri.*

5. Corp. iur. can. c. 13, C. 1, q. 3 (Friedb. I, 417). 6. Ib. c. 7 et 8, C. 1, q. 2 (I, 409, 410). 11. I Tim., 6, 8. 23. Corp. iur. c. 6, C. 1, q. 2 (I, 409). 31. Ib. c. 10 (I, 411).

meritum per ordinacionem canonum a sacerdotibus consequantur'. Et preter illud consilium sancte ecclesie in eadem questione ex libro Prosperi sic habetur in cap. *Sacerdos:* 'Sacerdos', dicit glossa 'id est quilibet prelatus, cui dispensacionis cura comissa est, non solum sine cupiditate sed eciam cum laude pietatis accipit a populo dispensanda, et fideliter dispensat accepta, quia omnia sua aut parentibus reliquit, aut pauperibus distribuit, aut ecclesie rebus adiunxit et se in numero pauperum paupertatis amore constituit, ut bene pauperibus subministrat inde et ipse tamquam pauper voluntarius vivat.'

The laws inculcating poverty are numerous and the arguments for evading them futile.

Mille sunt tales leges ex quibus patenter convincitur, quod a papa et cunctis episcopis usque ad sacerdotem infimum omnes pure clerici debent vivere vitam pauperem in comuni, quod si perversum est, patet quante symoniaca heresis est hodie dilatata. Nec sanant morbum paliate procuraciones de quibus V. decreto, titulo De Symonia, cap. *Cum sit Romana*, quia ille intelliguntur de gratis datis, non exactis stipendiis fideliter laborantibus ministratis, quando bona ecclesie aliunde non suppetunt. Nec valet secunda infamis ficticia, qua dicitur quod de lege nature homo debet primo subvenire parentibus et cognatis, quia hoc habet colorem illis in maiori vel pari necessitate positis, ut ab indigencia relevantur, non ut mundo incliti et nobiles exaltentur. Nec valet tercia ficticia, qua dicitur quod dignitas status episcopalis in familia, in ornatu et sumptuosis expensis hec exigit, quia dignitas Christi et apostolorum in summa pauperie sine talibus rutilavit. Et patet de symonia episcopi in ingressu et progressu et de symonia in egressu est maxime formidandum, quia quotquot defendunt huiusmodi oppositum in vita et opere, persequentes simplices promulgantes istam sentenciam tamquam hereticos et hoc usque finem vite sine resipiscencia, videntur esse presciti filii dyaboli indurati.

1, 2. sequantur *h.* 3, 4. in cap. Sacerdotes *dh, om. ceteri.* 4. Sacerdos *ef*, sacerdotes *ceteri.* 7. a pop. acc. *i.* 9. reb eccl. *ag.* 11. unde paup. *bcdefh, corr. in* bene *a; ib.* et ipse *al. m. h.* 12. Mille *ch, corr. ex* multe *e*, multe *ceteri;* tales *om. h.* 13. a cunct. *i.* 14. pure *ceh*, universaliter *ceteri.* 15. perversio *abfg.* 16. her. ho. dil. e *ag; ib.* sanat *abcefg.* 17. procuracionis *abf; ib.* in quinto. *ceteri; ib* decretalium *ceteri.* 20. ministratis *eh*, ministris *ceteri, corr. in* ministratis *d.* 23. in illis *ci*, in *al. m. a.* 24. in pari *i.* 25. et *om. bdi.* 26. stat. temporalis *bcefg.* 28. quid dign. *bdi.* 30. et *om. ceteri.* 32. modi *om. bcfg.* 33. provulgantes istas sentencias *ag.* 34. usqu. ad fin. *ceteri; ib.* suc sine *abgi.* 35. viderit *i; ib.* prelati *abcg*, prefati *di.*

3. Ib. c. 9 (I, 410). 18. Decr. Greg. V, 3, 10 (Friedberg II, 751).

CAP. VII.

Simony among the endowed orders.

Ulterius restat videre quomodo religiosi possessionati symoniaca heresi sunt fedati. Fedantur enim lepra symoniaca in ingressu, in progressu et comuniter in egressu. In ingressu utrimque acceptor et acceptus. Acceptor quando data adopcione de persona plus religiosa preponit propter sanguinem, propt r divicias vel causam temporalem huiusmodi minus aptum; vendunt enim religionem et ordinem et statum sui ordinis, que est res valde spiritualis, et hoc inordinate pro comodo temporali, ergo iuxta descripcionem sunt ut sic symoniaci. Sic enim possent ex infecta eleccione ordinem sanctum subvertere. Et idem est iudicium de accepcione precii ex pacto vel consuetudine pro cocliari, pro cipho vel huiusmodi ornamento. Unde 1 questione 2, cap. *Nullus* precipit Urbanus II quod 'nullus abbas precium exigere vel sumere ab hiis qui ad conversionem veniunt aliqua placiti observacione presumat. Regulam antiquam sequens, nulli, umquam, de ordinacionibus aliquid omnino accipiendum esse constituo'. Et patet ex racione et multis legibus. Ex quo videtur, quod corrodiorum comutaciones sunt illicite, quia symoniace, cum ius vescendi bonis pauperum inordinate valde pro temporali precio comutatur et per consequens spirituale inordinate emitur valde civiliter pro precio temporali. Inordinacio enim patet ex hoc quod emens corrodium desperat de ordinacione dei pro ipso quo ad vite necessaria contra evangelium Math. 6. Secundo dat occasionem ociandi et religiosos subvertendi contra legem Bede in epistola

Corrodies unlawful.

3. sunt *al. m. h.* 4. et progr. *ceteri.* 4, 5. et com. — egressu *om. ceteri, al. m. add. d, sed* similiter *legit pro* comuniter. 5. utrumque *ce,* uterque *ceteri..* 8. caus. specialem temp. *i.* 9. vel statum *ceteri.* 12. possunt *abcefg; ib.* ord. suum *i, corr. ex* sanctum *ad.* 13. pervert. *gi.* 14. ex consuet. *dfi.* 14, 15. vel alio huiusm. *c,* alio *corr. ex* altero *d,* alterius *e,* altero *ceteri.* 15. cap. null. *om. abcefg, al. m. d.* 16. precipitur *abfg,* precepit *i; ib.* Urb. II *om. abcef.* 17. sumere debet ab *abgi; ib.* concursionem *i; ib.* conveniunt *h.* 17, 18. alia pl. *bcef; ib* placita *codices, Friedb. in textu:* al pacti occasione. *alii vero cod.* pl. obs. 18. presumant *bc.* 19. inquam *ceteri; ib.* d. ord. al. *i,* al d. ord. *ceteri; ib.* omnino *om. h.* 21. legib. ista sentencia *ceteri; ib.* comut. *al. m. h.* 22. bona *bcefg.* 24, 25. val. em. civ. *ag.* 25. In ordinando *bcef.* 26. quod omnes *abcdef,* omne *ceteri.* 26, 27. corr. — ord. *om. b.* 27. domini *ceteri; ib.* qui *dhi.* 28. Christi Math. *ceteri; ib.* occ. d. *ag.* 29. leg. *om. i.*

14. Corp. iur. c. 2, C. 1, q. 2 (Friedberg I, 408). 21. De corrodio vocabulo cf. Ducange Glossarium s. v. *conredium* et addenda. 28. Matth. 6, 25 seqq.

ad episcopum Eboracensem. Et tercio prodit fundatores et pauperes. Fundatores, quia ubi religiosi ordinarunt pauperes vivere de suis elemosinis, mundi divites voluptuose et irreligiose consumunt ipsas sacrilege; nec dubium quin talium bonorum substraccio de tanto defraudat pauperes. Et quo ad venditores patet quod commercium procedit ex ficta ydolatria qua avare concupiscunt pecuniam: per idem enim possent multiplicare seculares in suis cenobiis, quousque omnes redditus domus vix vel minus eis sufficerent et sic domum religiosam destruerent, quod in multis locis contingit in Anglia; nec evadi potest quin de oracionibus fundatorum secundum formam donacionis et obligacionis de tanto subtrahitur. Nec dicetur racio quin per idem liceret pro precio mercari cum prelato, episcopo vel abbate et per idem cum uxore in novis nundinis, quod est contra legem pape humilis Bonifacii 1 questione 2 cap. *Quam pio,* ubi alloquitur volentes mercari abbatem suum pro precio quod non licet. 'Nunquam', inquit, 'legimus domini discipulos vel eorum ministerio conversos, quempiam ad dei cultum aliquo muneris interventu provocasse, nisi forte de pauperum alimento quis in comune proponat quorum nulli cuiuscunque professionis essent victualia negabantur'. Et ex illa lege sanctissima patet primo, quomodo ex carencia testimonii scripture que includit omnem veritatem ut est noscibilis, negat inter religiosos esse tale mercimonium celebrandum. Et utinam ista racio esset hodie in honore! Tunc enim excluderetur nedum corrodiorum vendicio sed religiosorum symoniaca induccio. Patet secundo quod in primitiva ecclesia omnia temporalia erant cuicunque religioso egenti comunia, sicut fuit in maxima religionis data apostolis per spiritum sanctum Act. 4. 'Erant, inquit, illis omnia communia.'

By corrodies the house might be filled with seculars.

1. et *om. ag.* 2. ordinaverant *d,* ordinaverunt *ceteri.* 3. suis *al. m. h.* 5. abstraccio *ceteri.* 8. multiplicari *bcg.* 9. homines et reddit. *bcfg,* homines redd *e; ib.* et domus *a* 10. sufficiant *abcfg.* 11. quia in *bcef. corr. in* quod *a.* 12. oracionibus *i, corr. ex* oratoribus *d,* oratoribus *ceteri.* 15. ut ep. *afg,* vel ep. *ceteri.* 17. beneficii *g. corr. in* Bonifacii *a; ib.* cap. *om. ceteri; ib.* Quere pio *abfg,* Quem pio *ce,* piam *d,* pium *i.* 21. mun. al. *i.* 22. *pro* in comune: inquam *g,* in quem *b,* commune *in ras. a (Friedb. in textu* inconcinne; in commune *AB legunt).* 23. esset *abfg* 25, 26. que continue incl. *abcdfg;* que incl. cont. *e.* 28. excluderentur *ceteri.* 29. vendiciones *i.* 32. religionis *ch,* religione *ceteri.* 33. ut patet Act. *i; ib.* omnia ill. *h.*

1. Epistola ad Egbertum episcopum; v. Bedae Opera omnia, ed. Giles, I, 108, praecipue pag. 118 seqq., 130, 136. 17. Corp. iur. c. 2, C. 1, q. 2 (I, 408). 33. Act. 4, 32.

Poverty would keep out from the ranks of the clergy those who take orders only for the sake of pay.

Istam autem religionem non impediret loci vel ritus diversitas. Ideo ad excludendum discolos qui nolunt laborare, sed porcionem inordinate exigere, securum est et ewangelicum de nudis vite necessariis contentari. Et tercio patet racio huius papalis consilii. 'Scimus enim', inquit, quod "omne datum optimum et omne donum perfectum desursum est, descendens a patre luminum", a quo bone voluntatis donum accepit qui sancto deliberacionis arbitrio gratis deo servire disponit. Restat ergo ut qui pro aliqua divini doni suscepcione munus acceperit vel dederit, donum dei symoniace vendit vel emit'. Et servata ista lege pauci seducerentur per ingressum in religiones privatas pro comodo temporali, quia nescitur si donum patris luminum ad hoc aptat, quod si faciat, aptatus a deo non debet propter retribucionem temporalem vel comodum excitari, et multo minus emptor corrodii non debet loco oratoris religiosi pro precio acceptari. Nec valent fuci infames, quibus ista symonia subtegitur: primo, quod corrodium pure temporale emitur. Nam Gall. 6, scribit apostolus: 'Nolite errare fratres, deus non irridetur.' Illa, inquam, inordinacio, qua donum dei comutatur temporali comercio, est dampnata, ut patet 1 questione 3, in principio, et eadem questione cap. *Si quis obiecerit*. Secundo obicitur per hoc, quod cenobium, cuius sunt bona, necessitatur propter casus fortuitos cum bonis propriis se iuvare, sed idem est argumentum pseudoprelati vendentis ecclesias vel alia dona dei. Item vix aut nunquam cadit domus religiosa in penuriam eciam ex sua stulticia, quin melius et religiosius poterit se iuvare;

1. autem *om. ag; ib.* impediet *abg*, impedirent *di; ib.* loici *di.* 1, 2. ritus duritas *g*, *corr. in* diversitas *a.* 3. sed *om. ceg, al. m. a; ib.* sed personam *i.* 5. enim *om. ceteri.* 7. l. a. p. *i.* 8. donum *al. m. h*, domini *cefg; ib.* accipit *ceteri.* 8, 9. libacionis *pro* delib. *h.* 9. disposuit *bi.* 10. divini *bdeh, om. ceteri; ib.* domini *fg, corr. in* doni *a*, doni *al. m. d* (*Friedberg, Corp. iur.:* aliq. ecclesiae susc.) 11. receperit *ag; ib.* dei don. *bcdef*, ei don. *g, corr. in* ei *a.* 13. in *om. cefg.* 14. dei patris *a; ib.* aptat *abcefh*, aptant *ceteri.* 16. excecari *d; ib.* multum *acef.* 19. sub *om. i; ib.* primo *h*, puta *ceteri* 20. ad Gal. *ag*, 2 *abcef*, 5 *ceteri.* 22. comutatur *i.* 24. cap. *om. abcefg;* obiceret *i.* 25. s. hec bona *ceteri.* 27. seminare *g, corr. in* se iuvare *a; add.* non possunt *omnes praeter ceh.* 27. prelati — 30. iuvare *al. m. h.* 28. elemosinas *corr. in* eccl. *h*, eccl. *corr. ex* elem. *a; ib.* cum vix *ceteri; ib.* vix vel *cdi.* 29. deo *pro* domus *f; ib.* irreligiosa *h; ib.* in pen. *om. abcefg;* eciam *al. m. di*, ecclesia *af.*

5. V. not. ad pag. 85, v. 17. Compluria verba mutata sunt. 6. Jac. 1, v. 17. 20. Gal. 6, v. 7. 23. c. 1 seqq., C. 1, q. 3 (I, 411) et ib. c. 7 (I, 413).

sicut enim casualiter pauperatur sic meritorie paciatur. Item casu seculi vel eventu celi potest cenobium indisponi faciliter ut sit inpotens ad retribuendum temporalia que sic vendit. Nam in mercandia civili emens capit comuniter totum emptum simul prius quam det precium. Sed in ista comutacione stulta vendicio non sufficit assecurare ementem, sed patronus tenetur contractum de elemosina sua dissolvere, et sic privato emptore corrodio, quando contractus foret illicitus, nunquam gustaret aliquid de corrodio quod sic emit; ideo dicitur quod antequam pauperatus faceret talem contractum, permitteret et procuraret totam domum suam dissolvi in seculo relevatus. Primum enim repugnat legi dei involvens peccatum quod homo non faceret eciam pro salvacione tocius mundi, quanto magis pro salvacione nove adinvencionis humane stulte facte, cum non sit exemplatum in lege Christi quod fiant tales perpetue elemosine private, ideo indubie ordinacio dei foret undiquaque melior ut patet alibi. Unde consilium pape predictum dictaret talia privata conventicula dissolvi, cum dissipant legem Christi. Sed dimittendo istam materiam particulariter ipsam studentibus, patet quanta symonia comittitur a religiosis prelatis ad prelacias aspirantibus, quia quotquot temporali munere, humano favore vel medio mundano voluerint sic prefici in suo ordine, tanquam excomunicati heretici incurrunt lepram symoniacam in ingressu, et sic eciam quicunque novicius cupierit talem ordinem propter quietem temporalem seu corporalem, propter lautum pastum vel propter mundanam excellenciam ultra hoc quod haberet in seculo, est statim symoniacus, quia spiritualem dignitatem vel statum ordinis cupit nimius inordinate propter comodum temporale. Ideo vellem nostros consulere spiritum sanctum antequam intrarent talem ordinem; si

Danger that a religious house may be unable to fulfil its pecuniary engagements.

Simony committed by religious aspiring to prelacies.

2 casualiter vel *ag*, casuali *bc;* casu simili *di; ib.* celi *cdeh*, tali *ceteri.* 4. mercacione *i*, *corr. ex* mercandia *a.* 6. venditor *ceteri.* 9. emptore *ch*, *corr. ex* emptoris *d*, emptoris *ceteri.* 10. qui sic *ceteri.* 11. quod *al. m. h; ib.* paupertetur *abfg*, p. *om. c.* 12. perm. *eh*, promitteret *ceteri.* 13. ministerio dei *pro* in sec. *ceteri; ib.* revelatus *bfi*, *corr. in* revel. d. 14. legi *ceh.* legem *ceteri.* 15. pr. s. ec *i.* 18. populi *pro* perp. *abcfg.* 19. *pro* undiq. tamquam *abceg*, und. *corr. ex* tamquam *d; ib.* medium *bg*, *corr. in* melior *ad.* 20. predicta conv. *i.* 21. Chr. *h*, Chr. et dei *df*, dei *ceteri.* 22. stud. *ceh*, scrutantibus *ceteri.* 24, 25. fav. hum. *i.* 25. mund. med. *ceteri.* 28, 29. temp. seu *om. adfg.* 29. seu corp. *om. c*, alias corp. *b.* 30. humanam exc. *ag; ib.* haberent *acg*, herent *e.* 31. specialem *ag;* ordinem *g*, *corr. in* digu. *a.* 32. capit. *f*, *al. m. h; ib.* nimis inord. *acefg*, nim. *om. ceteri.* 33. Ideo — 1 (pag. 88). temporale *al. m. h.* 34. s. *pro* spir. sanct. *abg*, *corr. in* sp. s. *d; ib.* intraret *f*, *corr. in* intrent *d*, introirent *i.*

comodum temporale pensatur, symonia incurritur; si perfeccio ordinis ponderatur, ordo Christi et apostolorum, qui cunctis est patulus, est quocunque ordine privato prestancior.

Simony enters into the daily life of the possessioners in getting, distributing and managing their property; especially in appropriations.

Quantum ad progressum in istis possessionatis ordinibus patet quod ducuntur symonia in inpetracione, in dispensacione et in temporalium gubernacione. In impetracione non solum per mendacium atque ypocrisim inpetrando a secularibus dominis in perpetuam elemosinam reditus, et proventus, nec solum impetrando talia dominia cum bonis pauperum, quod est omnino symoniacum, sed in hoc potissime quod falsis suggestionibus talibus conventibus appropriantur ecclesie. Cum enim ecclesiarum parrochialium elemosinis sustentarentur seculares clerici qui libere docerent et predicarent in parrochiis suis et alibi ewangelicam veritatem, per appropriaciones tales clericis talibus secularibus necessarium instrumentum subtrahitur, et fructus predictus indubie cautela diaboli a matre nostra suspenditur. Ideo dicit Lincolniensis in quodam sermone ad papam, postquam numeravit defectus in cura pastoralis officii: 'Cum,' inquit, 'religiosis fit ecclesiarum parrochialium appropriacio pretactorum malorum firma est perpetuacio', quia malis pastoribus temporalibus aliquando succedere potuerunt qui opera peragant officii pastoralis. Nec solum hoc dampnum spirituale contingit ecclesie, sed ubi rectores multiplicarent gentem, pascerent plebem, et spiritualiter gignerent Christianum populum, predicti dissipatores in globoso latibulo subtrahunt gentem regnis, depascunt pauperes loca ecclesie parrochialis incollentes, et filios dyaboli parturiunt regnorum et dominorum temporalium destructivos.

1. tale *corr. in* temporale *d*, tale *ceteri; ib.* inc. sym. *ceteri.* 2. predatur *acefg.* 3. est *om. g, al. m. a.* 6. ducuntur, *in marg.* ditantur *b;* dicuntur, *in marg.* ducuntur *c*, ducuntur *e*, ditantur *g; ib.* symoniaca *abcefg*, in *om. abeg.* 7 in disp. *om. abceg, al. m. d.* 7. et *om. i.* 9. imperpetuum *i.* 15. cl. sec. *i.* 16. et *om. cde; ib.* alibi *om d; pro* alibi: quod *ceteri.* 17. appropriaciones *dh*, appropriatos *ceteri.* 22. sit *abce.* sic *ceteri* 23. pretactarum malarum *g, corr in* orum *a.* 24, 25. ante succ. pot. *bf, corr. in* aliqu. *a.* anna s. p. *h;* succ. p. al. *i.* 25. que *ceteri; ib.* peragant *ceh*, peragunt *ceteri.* 27. plebem – 29. gentem *al. m. d, om. f.* 28. pop. Chr. *ceteri.* 29. et gl. *dgi; ib.* glorioso *abg.* 30. regis *bf, corr. in* regnis *a*, regiminis *cde.* 32. dominiorum *ag; ib.* destructivos *h, d in ras.*, destruccionis *bcfgi*, destruccionem *e.*

20. Lincolniensis, i. e. Robert Grosseteste, clarissimus Lincolniensis episcopus. Locus hic laudatus apud Brown, Fascicul. Rerum Expetendarum (Lond. 1690). II., 254 legitur.

Patet autem in istis lepra heresis symoniace. Primo ex hoc quod comutant et vendant statum perfeccionis vite exproprietarie pro questu modico temporali; sed hoc est expresse lepra symoniaca: ergo in hoc quod ecclesias vel quicquid aliud temporale perpetuo sibi appropriant, cadunt in heresim supradictam. Et hec est racio quare apostoli et alii exproprietarii noluerunt dulcedinem primevam deserere. Secundo patet idem ex triplici forma suggestionis mendacis; fingunt autem pape et aliis personis mediis tantam egenciam quod cum possessione priori non sufficiunt vivere nec sufferre onus ecclesie. Hoc autem est tam verecundum mendacium, quod calculato numero personarum et distributis redditibus per porciones equales quilibet eorum sufficeret expendere mille marcas, et de longe minori porcione vixerant Christus et apostoli et patres ordinis sui in primevis temporibus. Secundo suggerunt quod non ex illa appropriacione dampnificaretur sed edificaretur ecclesia, quia aliter nec papa nec angelus de celo posset talem appropriacionem statuere, ut patet Rom. 8 et 15. Sed totus mundus et papa et ydiote noverunt mendacium. Tercio vero promittunt, ut oportet, quod defendunt ius et statum ecclesie non deteriorando sed meliorando matrem ecclesiam, quia aliter liceret contrarium, ita quod prima sugestio appropriacionis est mendicantis egencia. Secunda suggestio est ante omnes alios egentes in illis necessitatis preeminencia: nam si in aliis foret utilius ecclesie approprians non mediocriter peccaret subtrahendo vel omittendo tantum bonum matris ecclesie. Et tercia sugestio est in melioracione matris ecclesie constans perseverancia; constat quidem quod nec pape nec angelo de celo licet appropriare ecclesiam falsificante aliquo horum trium, sed quecunque appropriacio fundata super isto mendaci tripode destruenda est de lege dei, tanquam nidus sacrilege symonie. Tercio principaliter convincitur

Proofs of simoniacal heresy: I. They sell perfection for money.

II. Falsehood in pretending: *a)* that the pope and clergy are in want;

b) that appropriations must be good for the church or the pope would not allow them.

1. sym. her. *ceteri.* 5. quodquam *c*, quicquam *ceteri.* 7. est *om. dfh.* 8. deferre *ag.* 9, 10. fingunt enim *ceteri.* 10. et al. episcopis et pers. *abg*, et episc. *post* mediis *i.* 15. centum marc. *acdefg.* 16. vixerunt *ceteri.* 20. appr. talem *abcefg.* 21. Rom. 18 et 15 *befg*, 84 et 15 *d*, 14 et 15 *h.* 21. 22. pape ydiote *ceteri.* 28. in illis *ag;* si appr. *ag.* 31. est — eccl. *al. m. h; ib.* melioracio *bceg.* 31, 32. const. pers. *ceh*, const. ex pers. *ceteri.* 32, 33. de celo lic. *ag*, nec lic. p. n. ang. d c. *h*, lic. de c. *ceteri.* 33. falsitate *abcefg.* 35. mendacii *acefg; ib.* tripede *h.* 36. symoniace *i; ib.* convinc. *dh,* comittitur *ceteri.*

21. Rom. 8, 38 et 15, 18.

III. Simony shews itself in the way money is employed to obtain appropriations in purchasing advowsons and licenses and securing favour.

symoniaca appropriacio ex comutacione illicita temporalis muneris propter illam; taceo autem quantum datur gracia appropriacionis pro acquirendo patronatu, pro habenda a rege licencia ad appropriandum et pro data peccunia appropriantibus. Nec refert, sive illud datum sit capiti, sive medie persone procuranti, sive nunccio pro illo facinore laboranti. Nam infecta mendaci radice totum consentaneum concomitans est infectum; ut cum patronatus preexigitur cum communitate cui fieri debet appropriacio, videtur quod acquirens appropriacionem gracia talis finis sit symoniacus, quia propter finem talis appropriacionis principaliter parat media sumptuosa et per consequens inordinate emit finem illum. Sic enim emit quis regnum celorum inordinate, dum sine oleo devocionis facit gracia huius opus bonum de genere, ut patet Math. 6, et iterum persona communitatis dat sibi ipsi primo talem ecclesiam, quod est suspecta symonia. Licet enim persona aggregata posset presentari parti sue plus habili ad beneficium cuius est patronus, ymo persona simplex posset in casu presentare se ipsam episcopo ad beneficium, cuius est patronus, in casu quo fuerit inter omnes plus habilis: tamen quod eadem persona agregata perpetuo successiva presentet se ipsam ad beneficium proprium, videtur esse iracionabile, potissime quia tam diutina et constans colacio requirit magnam et plene prudentem noticiam de persona que sic debuit presentari, sed nec episcopus nec ipsa communitas scit vel topice habilitatem persone aggregate postmodum successure, sed nec habilitatem omnium membrorum persone aggregate in presenciarum, quia sepe in talibus conventibus latet Judas. Nec dubium quin homo non debet auctorisare vel fovere

1. appr. sym. *ag; ib.* ex communicacione *di.* 6. pers. med. *ceteri; ib.* sive necessario *ag.* 7. isto *ceteri.* 8. iniustum *bcf, al. m.* infectum *ad; ib.* et *bcef, corr. in* ut *d.* 9. in *pro* cum *ceteri; ib.* communitate *ceh, corr. ex* comitante *d,* comitante *ceteri; ib.* deb. fieri *ag.* 10. patet quod *i.* 14. emit *post* celorum *ceteri.* 16. ita *i.* 16, 17. communitatis *beh,* comunitis *a, al. m. in textu om.,* communicans *g,* communicantis *ceteri.* 17. ipsi sibi *h,* sibi *corr. in* scilicet *g.* 18. symonia *corr ex* ecclesia *ag.* 19. ad *om. h.* 20. patronus *ceh,* patronatus *ceteri.* 20, 21. ymo — patr. *in marg. a.* 21. patronus *ce,* patronatus *ceteri.* 22. omnes *al. m. h; ib.* plus humilis *ag.* 23. perpetue *ag,* successiva *deh,* successive *ag.* successivo *ceteri.* 25. diutiva *e,* iva *in ras. h,* dominica *c,* diuturna *ceteri; ib.* et *om. ag.* 28. scit *om. f,* topice *al. m. a, om. bcfg;* com. vel cognoscit *f,* scit vel top. cognoscit *ceteri* (cogn. *cancell d*). 30. in futurum *bfg, corr. in* in pres. *ad.*

16. Math. 6, 1 seqq.

facinus unius discoli propter omnia bona mundi, multo magis non debet approbare habilitatem persone pro futuris temporibus, cuius noticia negatur sibi a deo; ideo videtur quod auctorisantes talem perpetuam appropriacionem incurrunt blasfemiam. Et hec racio est quare Christus et apostoli potentes, scientes et in amore ecclesie ferventes non fundarunt elemosinas tales perpetuas ut patet diffuse alibi.

Christ's toleration of Iscariot is not a precedent for promoting bad priests.

Sed obicitur de Scarioth, quem Christus elegit sciens ipsum futurum malum, ergo nos qui debemus regulari per imittacionem factorum Christi in opere nostro debemus in casu malum eligere, specialiter cum simplici et pia intencione ignorando suam maliciam. Aliter enim pusilanimitas impediret magnum bonum ex provisione tali proveniens. Ista blasfema argucia cecat multos; Christus enim omnisciens elegit Scarioth, ut sit portentum male prelacie future in ecclesia, et ut fructus tocius sue malicie prosit ecclesie, non ut peccet, ut patet diffuse alibi. Sed nimis est alienum ab illo, qui est vix membrum ecclesie, non caput, propter illud Christum ignoranter excedere ordinando in populo unum Judam perpetuum: recoleremus ergo, inquam, illius verbi Christi, Matth. 16, dicti Petro: 'Vade post me sathana', tunc enim non sic precederemus Christum, sicut antichristus, qui extollitur super omne quod dicitur deus. Attendamus itaque ad illa que Christus fecit ut omnisciens et caput universalis ecclesie, et non affectemus ipsum excedere vel parificari sibi in istis. nisi prius fuerimus caput ipsum et sic sciens. Ideo sequamur ipsum in istis, faciendo proporcionabiliter et sapienter quod mores sapiat, non stulte eligendo vel auctorisando malum peccati vel minus malum, licet magnum bonum divina gracia exinde eveniat, secundum doctrinam apostoli Rom. 3. Et sic ex stulticia preficiencium vel appro-

1. discipuli *bfg*, *corr. in* discoli *d*. 2. appropriare *abcef*. 3. negatur *beh*, *corr. in* negata *d*, nota *g*, *corr. in* negare *a*, negata *ci*; *ib*. sibi *beh*, sit *afg*, *corr. in* est *d*, est *i*. 4. Non *fg*. *corr. in* ideo *a*. 5. est racio *adfg*, est *om. e*. 6. Chr. et populi *i*; *ib*. scientes *om. bcef*, *post* ferventes *ponunt ceteri* (*ad al. m*.). 7. fundaverunt *abdf*. 10. eum fut. *dg*; quia nos *bcefg*, *corr. in* ergo *a*. 11. sanctorum Chr. *adf*; *ib*. in n. op. *ceteri*. 12. spiritualiter *cancell. h*. 13. Alter *i*. 14. et ex *ag*. 16. omnia sciens *adfg*. 21, 22. exc. un. Jud. perp. in pop. ord. *ag*. 22. ergo *om. ceteri*; istius *ceteri*. 24. Sathan *bef*. Sathanas *ceteri*. 27. omnia sciens *afg*. 29. sciens *al. m. h*. 30. eum *bdf*; *ib*. prudenter *ceteri*. 31. mores *corr. ex* malores *h*; *ib*. sapiat *ceh*, sapiant *ceteri*. 32. presens *bcfg*, *corr. in* peccati *a*, pn̄i *e*. 32, 33. bonum div. *ch*, in div. *ceteri* (in *cancell. d*).

23. Math. 16, 23. 34. Rom. 3, 8.

priancium tales ecclesias et ex stulticia laborancium, ut illis approprietur, patet appropriacionis infeccio.

Simoniacal system of pensions.

Sed ad hoc surrepit perseverancior et maior malicia ex pensionibus symoniacis tam in appropriatis quam in non appropriatis ecclesiis introductis. Nam gracia appropriacionis episcopus vel capitulum vel utrumque habet pensionem annuam non dubium symoniace, quia propter spirituale beneficium ecclesie, ut pretendunt, et ista symonia est eo gravior quo in multis et in magnis personis est diuturnior. Sed in ecclesiis non appropriatis inducte sunt perpetue pensiones symoniace in hunc modum. Primo, inquam, populus cui ministrari debeat elegit sibi de lege dei unum episcopum vel prelatum; et isto modo electi sunt sancti episcopi, quorum festa solennisat ecclesia, ut patet in legendis eorum. Secundo seculares domini, quia videbatur eis excellenciam sapere, tamquam patroni soli solos elegerant, ipsi autem consciencia ducti. Tercio dederunt patronatus religiosis conventibus, quia verisimile fuit eis quod sic exonerarentur, et caverent periculum, et ipsi religiosi conferrent prudencius dignioribus dignitates. Et in isto tercio signo fundavit antichristus impensionibus perpetuam symoniam, nam ipsi secundum legem Luciferi dederunt eas inhertibus, pro quibus potestates seculi rogabant secundum legem carnis, dederunt eas cognatis, licet ignaris artis spiritualis regiminis; et secundum legem mundi dederunt eas servitoribus et quantumcunque inhabilibus

Pensions to religious houses.

volentibus plus offerre. Et de istis, sed specialiter de mediis, surrepserunt abbaciis omnes pensiones, quedam propter sanguinis gratitudinem, quedam propter fictam domus egenciam vel sanctitatem et quedam propter reacceptam beneficii retribucionem. In talibus enim pensio

2. approprientur *acg*, appropriarentur *fi*. 3. si *bf*, *corr in* sed *a*; *ib*. hoc *corr. in* huc *dg*; *ib*. surrepit *eh*, surrepsit *ceteri*. 5. non in *ceteri*. 6. episcopos *f*, episcopum *g*, *corr. in* episcopus *a*. 7. pens. animarum *dgi*, annuam *al. m. in spptio relicto e*. 8. spiritualem beneficenciam *ceteri*. 9. et magnis *c*, et in magnis *h*, *al. m. d*; e. i. m. *om. ceteri*. 11. inductive *bcefg* (inducte in *in ras. a*); *ib*. possessiones *abg*, *corr. in* pensiones *d*. 12. plebs cui *bg*, plebanus cui *f*. 14. facta *abcfg*, *corr. in* festa *d*. 15. eorum *ceh*, ipsorum *ceteri*. 16. *pro* videbatur: maculatur *fg*, deb. *in ras. a*; *ib*. excellencia *bcefg*. 17. *pro* solos: suas *a*, summos *bc*, suos *ef*; *ib*. eligerant *h*; *ib*. ipsa *bcefg*. 20. et *al. m. h*; *ib*. conf. *om. g*, *al. m. a*, confirmarent *bcef*, *corr. in* conferrent *d*. 23, 24. mercibus *bcefg*, *corr. in* inertibus *a*. 24. potentatus *d*, potentes *ef*, potestatus *ceteri*; *ib*. rogitabant *abceg*, *corr. ex* rogaverunt *d*. 29. abb. perpetue omn. *i*, perp. *al. m. d*. 29, 30, 31. quidem *pro* quedam *ceteri*. 29, 30. qued. — gratid. *om. bcefg*, *al. m. d*. 30, 31, 32. pens. qued. pr. f. dom. eg., sanct. et qued. (propt. sang. grat. *in marg.*) pr. acc. benef. retr. *a*. 31. vel *om. codices*; *ib*. quid ipsorum propter *h*. 31, 32. et qu. — retrib. *om. i*.

ista symoniaca per paucos annos in uno seducto est continuata, et in alio cautela dyaboli magis symoniaca et demum ex lege proscripcionis Luciferi tamquam de lege dei iustissime debitum vendicata; statuunt enim sibi pro lege hoc porisma dyaboli, quod nequissima symonia ex prescripcione vel diutiva conswetudine contrahit robur legis, ac si diceretur quod antiqua malicia continuata per membra dyaboli prescripcione prevalet contra Christum. Patet ista induccio ex particularibus cronicis et ex carencia munimenti alterius ostendenda. Sed in quarto signo blasphemo, super quo non quiescit deus, vendicat sibi papa collaciones omnium beneficiorum ecclesie ex lege principalis domini super toto patrimonio crucifixi, et hinc currit beneficiorum, privilegiorum, iurium et dispensacionum venalitas, sic quod correccio huius facinoris superat omnem possibilitatem correccionis humane, propter hoc quod nervi testiculorum beemoth sunt a deo perplexi.

The Pope's claim to collate to all benefices, and its evil consequences.

Tria autem remedia ex dei gracia coniecturo. Primum quod deus irradiet mentem pape, exempli gracia Urbani VI, quod attenta lege papali 1 questione 3 capitulo finali conquasset omnes huiusmodi symonias; sed illud foret inopinatum et inmensum miraculum. Ideo secundum remedium probabilitati propinquius est: quod seculares domini informati a domino resistendo pape concorditer obturent scaturiginem symonie et capiant in manus suas patrum elemosinas, cum quibus symoniaci sic mercantur, quia necesse est ignem dyaboli cremare continue, quamdiu habeat fomitem quem comburat. Sed cecacio yppocritica, confederacio lucrativa et occupacio circa mundialia preponderancia faciunt seculares dominos

Three remedies possible by God's grace. I. That the Pope may reform these things (but that would indeed be a miracle). II. That the secular power should resume the endowments.

1. est *om. ceteri.* 2. alia *ch*, alio *ceteri.* 3. *pro* Luciferi: dyaboli *ag.* 3, 4. ex lege *fi.* 4. iusticie *h;* vendicata *dh*, vendita *ceteri.* 5. potissima *ceteri, corr. in* porisma *e.* 6. pre *om. c, al. m. d,* scripture *f*, prescripture *g, corr. in* prescripcione *a; ib.* diuturna *ceteri.* 7. antiquata *dfg*, ta *cancell a.* 8. prescriptive *ceteri.* 9. ex partibus *bcefg, corr. in* ex particul. *ad.* 10. et *om fg, al. m. a; ib.* ostendendo *ceteri.* 11. in blasph. *a (al. m.), bcei.* 12. si. pa. *ch*, pa. si. *ceteri.* 17. nervi *in ras. a*, in via *bfg; corr. in* nervi *d.* 17, 18. culorum *in ras. a*, testimoniorum *bcfg.* 18. vehemoth *e, corr. ex* vehementer *a*, vehementer *ceteri; ib.* perplexi *corr. in* complexi *a*, compl. *corr. in* perpl. *d.* 20. irradiat *i; ib.* papalem *ceteri; ib.* ut exempli *ceteri.* 21. sic quod *codd.*, sic *cancell. h; ib.* attentus *befg.* 22. omnino *ceteri.* 23. Ideo *ceh*, vel *bg, om. f*, et *ceteri.* 24. probabile remedium *abceg*, principale rem. *df; ib.* est prop. *ceteri.* 25. conformiter *ag* 29. continue *om. bcefg, al. m. a; ib.* ergo quamdiu *bcdef.* 29, 30. Scilicet cec. *abf.* 30. confederacio *gh, corr. in* consideracio *a*, consid. *ceteri.* 31. *pro* circa: ista *bcefg*, contra *h*, contra *corr. in* circa *a; ib.* preponderancia *ceh*, populo ad beneficia *bfg, corr. in* preponderancia *ad*, preponderanda *i.*

17. Tob. 40, 7. 21. Corp. iur. can. I, 418 (c. 15, C. 1, qu. 3).

III. (The must hopeful.) That the people should withdraw their tithes and offerings.

illud ministerium retardare. Ideo tercium est remedium de quo magis confido: quod populus subtrahat decimas et oblaciones et alias privatas elemosinas ab indignis antichristi discipulis quos vident circa bonorum suorum sacrilegas rapinas sic mercari; cum enim hoc debent facere de lege dei, non est timenda sed gaudenter acceptanda maledicciо vel censura, quam inferunt discipuli antichristi. Rogemus ergo deum, quod illud particulariter practisatum sic crescat, quod clerus ad statum primevum redeat contentus alimentis et tegumentis secundum normam apostoli, et populus elemosinarie spirituales prepositos eligat sibi propter salutem anime magis aptos.

It is said that colleges and learning would fail if appropriation were put an end to, but in truth the clergy would profit.

Sed obicitur per hoc, quod iuxta istud non foret ecclesiarum appropriacio et per consequens extingwerentur collegia et sic clerus. Sed quo ad illud dictum est diffuse alibi, quod expediret ecclesie non esse aliquas appropriaciones huiusmodi ecclesiis kathedralibus, vel capellis principum, vel universitatibus collegiis secularium clericorum, sed tunc staret clerus copiosius, virtuosius et operosius quam stat modo; verumtamen consonum foret cum iustis paribus quod in ecclesia parrochiali que per se sufficeret uni clericorum, collegium ipsum ibi resideat quamdiu ex legali ministerio staret dignum. Et quantum ad collegia in studiis clericorum patet quod a malo processerant, a malo quidem episcopi qui debet promovere et subvenire theologis, et a malo appropriacionis ecclesiarum parrochialium de quibus continuari debet scola theologorum in studiis undique.

Patronage of the livings would be enough for the colleges.

Unde videtur quod subducta omni appropriacione ecclesiarum, vel redditus temporalis, collegia starent prosperius quam stant modo, si unicuique collegio fuerit signatus numerus patronatuum qui iam sunt in manu mortua, et ipsum collegium eligat de magis habilibus, qui per certam anni partem laborent in parrochiis et per aliam

1. ministerium *corr. in* misterium *a*, misterium *e; ib.* recordari *bfg*, recordare *c*, *corr. in* retardare *ai*. 4. contra bon. *h*. 5. rap. sacr. *ceteri; ib.* sic *al. m. h*. 8. Rog. itaque *ceteri*. 9. sic *al. m. h; ib.* st. dei prim. *abgi*, priorem prim. *f*. 10. cont. de alim. *ceteri*. 11. populos *ag; ib.* pop. qui debet elem. *h, al. m. d;* pop. qui elem. *i*. 12. eligit *i*. 14. illud *dfi*. 16. quantum *ceteri, corr. in* quo *d; ib.* istud *bcefg*. 17. diffuse *om. h; ib.* et exped. *bceg*. 18. huiusm. in eccl. *df*. vel eccl. *ceteri*. 19. in univ. *bcefg*. 21. stat nunc *ceteri*. 22. istis *ceteri, corr. in* iustis *d; ib.* quod in *h, corr. ex* et *d*, et *ceteri*. 24. sibi *fh*. 26. processerunt *abfgi*. 30. Unde vid. qu. *al. m. a, om. bcefg; ib.* quod *om. h; ib.* omni *cdfh*. enim *bfg, om. ai*. 31. collegiis *h*. 32. signatus *ceh*, assignatus *ceteri*. 33. unus patr. *ceteri; ib.* est in manu *a*. sit *ceteri, om. c*, qui omnia in manu *e;* est violenta *bfg, corr. in* sit mortua *abdg*. 35. part. anni *ceteri; ib.* parrochianos *bcdf*.

partem anni dum prodest ecclesie, stent in scolis, habeantque secundum gradus reddituum inferiores clericos secum, ex quibus et aliis adiunctis a parentibus comunitas studii theologie in universitatibus sit servata; perdantque collegia aput regem et regnum ius patronatus huiusmodi, dum convicti sunt eligere minus aptos. Talia, inquam, collegia fructificarent in studiis, ubi nostra collegia frustra depauperant regnum et laborant invidia.

Simoniacal payments to laymen for defence and support of the convents.

Quantum ad expensiones et seculares defensiones bonorum conventuum, patet quod sunt plena symoniaca pravitate, nam iuxta legem ewangelicam pape Gregorii supradictam 16 questione 7, cap., *Pervenit* episcopi qui consumunt bona pauperum in sumptuosa familia, in militibus et cognatis, sunt de numero maximorum hereticorum qui sunt symoniaci; sed ista lex magis obligat abbates et priores et ceteros religiosorum prelatos, ergo ipsi faciendo sic sunt de genere maxime hereticorum, qui sunt symoniaci; minor argumenti patet ex hoc quod dicti religiosi sunt ex voto magis alienati a mundo, ex religione et signis magis profitentur paupertatem ewangelicam quam seculares episcopi, ergo faciendo contra predictam legem ewangelicam magis peccant, et per consequens ex maiori contagione symonie sunt profundiores heretici; illi enim qui tam patenter solvunt pactum religionis, quod deo pepigerant, sunt infideles patrono suo et sancte ecclesie. Maiorem autem argumenti testantur experti notantes conversacionem ecclesie, qui vident quod in prandiis quo ad numerum ministrorum, prandiorum et vasorum excedunt comites, quo ad equitaturam ad conventus comunes regnorum excedunt principes; et quo ad expensas forinsecas dicitur quod bona pauperum consumuntur in pensionibus et convivacionibus hominum legis humane et duplicis, in maleficiis

Luxury and extravagance of prelates.

3, 4. communitatis *bg, corr. in* comunitas *a,* contentas *ce.* 5. in *pro* ius *dgi.* 6. convicti *cefh,* coniuncti *ceteri.* 8. frustra *om. afgi, al. m. d.* 9. invidia *cefh,* in inv. *ceteri.* 13. 16 — cap. *om. abcefg, al. m. d.* 16. *pro* magis: non minus *ceteri.* 18. igitur ipsi *ceteri; ib.* maximo *ce,* maximorum *ceteri.* 20. toto *i; ib. pro* alienati: obligati *abcefg.* obl. *corr. in* alien. *d;* et relig. *ceteri.* 21. magis *al. m. h; ib.* profiterentur *ag.* 22. scolares episc. *h.* 25. ergo *g, corr. in* enim *a,* vero *df.* 30. *pro* prandiorum: pastorum *abdfg (in d nota in margine legitur:* scilicet quibus se pascunt); past. *om. ceteri.* 30. et vas. *om. f, al. m. ad.* 31. com. et *ef.* et commun. *ceteri,* et *cancell. d.* 33, 34. et in conviv. *i.* 34. *pro* duplicis: falis *befg, corr. in* eciam *d,* eciam *ceteri (a in ras.); ib.* malificiis *ch.*

13. Corp. iur. can. I, 801 (c. 3, C. 16, q. 7).

et tirannis nec non et cognatis et aliis secundum mundum confederatis; quod si sit verum, quis est profundior in dicto eo capitulo hereticorum? Et sic mirantur fideles huiusmodi, quod leges papales que lucrum sapiunt, licet sint infundabiles et contrarie fidei scripture, reputantur, servantur et practisantur plus quam ewangelium, sed leges papales in ewangelio fundate que religionem sapiunt postponuntur tanquam heretice vel prophane; et hec est nota heresis et infidelitatis maxime. Nec valet ficta excusacio in peccatis que ex commento dyaboli istis addicitur; dicunt enim et forte verum, quod nisi conferrent istis legistis et tironibus bona pauperum, circumvenirent et spoliarent eos de suis redditibus; ideo pro servanda possessione et iure ecclesie necesse est bona pauperum talibus impertiri. Tales autem infideli deteriores sunt in capitulo infidelium Rom. 3 dicencium: 'Faciamus mala et eveniant bona'; ymo peius dicunt: quod sunt facienda eis sacrilega atque heretica, ut continuentur in eis plus execrabilia et heretica, ut puta ecclesie et predia que symoniace perpetrarunt; nam iuxta istam versuciam perpetrarent maius malum et iterum maius et sic sine fine, ut malum quod maius reputant evadatur.

It is a mere devil's plea that such waste of the goods of the poor is needed to save endowments.

Ideo ista excusacio contra principium apostoli est indubie incitamentum dyaboli ut inducat suos profundius in errorem; cum enim ex decreto ecclesie hoc fuit in tempore sancto sacrilegum atque hereticum, nec fit licitum propter multiplicacionem tirrannidis vel peccati: relinquitur quod adhuc sit hereticum sicut primo, nam dies mali non excusant sed augent maliciam. Recolerent, inquam, principium fidei, quod sepe sumit Anshelmus et sancti alii, quod nemo comitteret vel leve peccatum

This is merely doing evil that good may come, in direct disobedience to St. Paul.

2. unum *bfg*, *corr. in* verum *ad.* 3. *pro* in dicto: iudicio *ceteri; ib.* cap. *om. ceteri; ib.* quomodo *bfg*, *corr. in* hic *a* hoc *c*, hic *di.* 4. huiusm. *om. ceteri.* 9. nota *corr. in* racio *a*, racio *i.* 10. communitate *bfg*, *corr. in* commento *a*, comm. *om.*, *spatium relict. e.* 11. aducitur *abg; ib.* unum *cfg*, *corr. in* verum *ad; ib.* quod *al m. h.* 12. tyrannis *i.* 14. preserv. *ghi.* 15, 16. infideli *eh*, infidelis *c*, *corr. ex* infideles *d*, infideles *ceteri.* 16. *pro* cap : casu *i.* 17. ut ev. *ceteri.* 18. peius *ceh*, *corr. ex* pocius *d*, pocius *ceteri; ib.* sacrilegia *bcdef*, *corr. in* sacrilega *g*, a *finale in ras. a.* 18, 19. atq. her. *f*, *al. m. a*, et her. *al. m. g.* 19, 20. ut cont. — heret. *om. ghi.* 20. sym. que *bcefg.* 21. magis *ceteri* (magis *om*., maius *al. m. d*). 21, 22. mal. et it. mai. *om abcdefg.* 23. magis *abcefg.* 24. ista ideo *cefg*, ista igitur *b*, unde ista *ceteri*, unde a *al m.* 27. sancto *om. di; ib.* fuit *h.* 28. multitudinem *abcefg*, multiplicitatem *di*, in *i*, *corr. ex* multitudinem. 29. fit *di.* 30. Recolecturi *g*, recolectum *g*, -lerent *in ras. a.* 31. inquam *fgh, corr. in* ergo *a; ib.* sumit *in ras. a*, fuit *b*, sint *f.*

16. Rom. 3, 8.

propter preceptum domini vel salvacionem tocius mundi, ergo multo minus pro continuanda possesione iniqua et colligenda irregularitate perversa. Deus enim docuit in particulatim dando lumina, pluvias et alias influencias celestes quod late in comuni et non in globis inordinate homines expenderent bona sua, ut patet ex decreto sancti ewangeliste posito in lege nature patule cuicunque; tunc possunt videre luce clarius, quam gaudenter tollerarent dissolucionem perpetuam domus sue et omnium reddituum ac appropriacionem ecclesiarum, antequam distribuerent sic heretice bona dei. Nam inconveniens sequens non foret, nisi quod religiosi et temporalia sua dispergerentur ut olim in seculo, et per consequens magis celestiter edificarent ecclesiam consumpto nido heretico. Sed donemus tirrannis istam iniuriam! Recoleremus, inquam, quomodo secularibus debetur illud officium circa temporalia occupari et quomodo nos subtraximus ab eis illud officium et insuper quomodo fovemus eos in sua tirrannide; et tunc doleremus de nostra apostasia que causat in eis illa facinora.

God sets us an example in distributing his gifts to all.

Cum enim secundum philosophos nullum violentum eternum et secundum scripturam pugnabit cum deo totus orbis terrarum, pro complemento iusticie necesse est instrumenta dei vel bene vel male reducere ecclesiam ad statum quem ipse instituit, nec excomunicaciones vel humane leges possunt in illa frustrari divinum propositum, ideo, ut sepe dixi, ista discrasia cleri est causa bellorum in seculo et tocius irreligiositatis ecclesie. Si autem cupimus religiose vivere vitam monasticam, fugiamus ad loca deserta, sicut fecerunt sancti patres priores, et ibi defleamus peccata nostra et populi, non autem maneamus in urbibus supplantando seculariter et heretice laicos a suo officio et inficiendo eos lepra heretica, quia ut sic indubie inplicamus in inconvenienciis

God's instruments must bring back the Church to the state he ordained.

If we wish to live a monastic life we should flee to the desert.

1. propter *al. m. h.* 2. passione *abf, corr. in* possess. *d.* 3. colligencia *i; ib.* irreligiositate *ceteri; ib.* eu. deus *i.* 4. in particulari *befg, corr. in* inpertiri *a*, inpertiri *dei; ib.* lunam *ceteri.* 5. late *dh*, latet *ceteri; ib.* inordinatis *ceteri.* 8. possunt *ch*, possent *ceteri; ib.* quod *ceteri.* 10. appropriacionum *ag; ib* ecclesiaticarum *ag*, ecclesiasticorum *bcef.* 11. bona dei *dh*, dei *om. ceteri; ib.* nam *al. m. a; pro* nam: cum vero *bfg*, omne vero *ce.* 14. sceleriter *corr. in* celesciter *a*, scelciter *b*, scelesciter *cf.* 18. istud *bce, corr. in* illud *g; ib* fov. eos *ceh*, e. f. *ceteri.* 19. de *corr. in* in *g*, in *bi.* 23. totus *om. ceteri.* 24. *pro* instrumenta: iusticiam *abcef, corr. ex* instr. *d*, iusticia *g; ib.* vel *om. ceg.* 26. nec hum. *a; ib. pro* illa: isto *abdf*, isto *corr. in* istis *g;* istis *ceteri.* 26, 27. *pro* propositum: perpetuum *h.* 27. dissensio cleri *ce.* 31. ita defl. *h.* 34. inpl. *om. b, al. m. ai; ib.* in *om. ce;* inconveniens *ceteri.*

22. Sap. 5, 21.

insolubiliter nosmet ipsos. Nam invincibilis condicio peccati est et insolubilis cautela sophiste dyaboli, quod omnes servos suos ducit ad metam redargucionis turpissimam. Nam velint nolint concedent veritatem in die iudicii quam nunc negant, pertinacia itaque religiosorum qua usque ad mortem laboriose et sumptuose defendunt suam heresim est maxime formidanda.

CAP. VIII.

The leprosy of Simony is widely spread.

Ex istis potest sedulus speculator attendere, quam spissim et varie seminatur lepra heresis symoniace in ecclesia militante et quomodo potest illa ecclesia de remedio contra dictam heresim providere. Lepra autem symoniaca ex predictis describitur, quibus iungendum arbitror quod omnis symoniace heresi consenciens symoniacus est censendus. Consentit enim homo sex modis et modis compositis resultantibus ex ipsis, sicut alias diffuse exposui ex sentenciis sanctorum et legum ecclesie; continentur autem in istis versibus:

Whoever consents to Simony is a Simoniac.

Consentit operans, defendens, consilium dans
Ac auctorisans, non iuvans nec reprehendens.

Ille autem qui cooperatur cum symoniaco vel medians vel mercando est symoniacus ex consensu, sicut ille qui defendit symoniam scolastice vel contenciose, sicut tercio ille qui consulit ad pravitatem symoniacam et quarto potentatus qui auctorisat homines ut suos vel facta sua que debet cognoscere esse symoniaca. Sicut enim quilibet fidelis racionis capax debet cognoscere peccata mortalia ut evitet ipsa, sic quilibet racionis capax et specialiter secularis dominus debet cognoscere symoniam; cultores tamen accidencium sicut celant a populo quiditatem eukariste sic celant raciones et species symonie. Quinto modo et sexto symonia comittitur, quando homo habens a deo oportunitatem et noticiam datam mutescit non reprehendens taliter viciosos. Et in isto casu sunt maior pars fratrum vel omnes et speculativi cuiuscunque status,

A ruler should know what Simony is and not allow himself to be deceived.

2. qui *i, corr. ex* quod *a*. 9. sedule *abfg*. 11. ipsa eccl. *h*. 14. arbitratus *cef*. 15. autem homo *ceteri*. 18. autem *dh*, que *pro* aut. *ceteri, om. e*. 19. cooperans *h* (co *al. m.*), operans *ceteri*. 20. minans *bcef, corr. in* iuvans *a*, iuvans *ceteri*. 23, 24. sym. — ille *al. m. a*. 26. enim *al. m. h*. 27, 28. deb. — capax *om. b*. 27—29. pecc. — sym. *al. m. g*. 29. tamen cult. *a;* tamen *om. bce, al. m. d;* cum cultores *bcef*. 29—31. tamen — sic *om. f*. 31. sic *dh*, ita *ceteri; ib.* sensus sym. *af; ib.* modo *deest ab*. 32. com. sym. *abdfgi*. 33. dat. not. *ceteri*. 34. casu *abf, corr. in* capitulo *dg*, capitulo *ceh; ib.* est maior *h*. 35. omnino *hi; ib.* et *al. m. h; ib.* eciam *ai, al. m. g., om. ceteri*.

etatis vel sexus fuerint, qui propter timorem servilem vel comodum temporale tacent in causa dei atque ecclesie. Sed aliomodo omnis peccans mortaliter, dum suspendit se a iuvamine contra heresim symoniacam, fit symoniacus ex consensu; nam ut sepe dixi tam virtutes quam vicia sunt connexa et sic deus scit qui non maculatur symonia vel heresi de vocata ecclesie. Et patet prima pars proposicionis prime proposite.

It is said that no one should be held a Simoniac unless proved such in the Courts.

Sed pro secunda notandum quod heresiarche statuerunt, ut nullus censeatur symoniacus nisi hoc coram eis secundum tradiciones suas, ut inquiunt legittime, sit probatum et tunc convictum de symonia vel heresi comburunt vel aliter occidunt vel puniunt, si noluerit ab eis emere symoniace culpam sibi inpositam; quod si reus in facto eis placenter voluerit emere culpam suam evadet testificatus ab eis immunis et mundus, licet heresi sua symoniaca maculavit et maculat pertinaciter magnam partem ecclesie. Constat de episcopis et prelatis quos propter peccuniam vel preces dominorum literatorias auctoritative instituunt, licet de eis credant vel dubitent si antea non sint digni, et omnino sciunt per leges proprias, quod tam prepositus per hoc medium quam ipse auctorisando preponens quam eciam dominus rogatu et ad hoc medians incurrit lepram symoniacam eo ipso, et sic nec vult misereri anime sue nec proximi, sed tamquam blasfemus heresiarcha se ipsum et alios cece precipitat; talem itaque ducem debemus aufugere. Item propter iudicium sophisticatum a talibus non est homo magis aut minus symoniacus nisi forte ex eorum ceco sophismate sit infectus. Sed cum infeccio sit contra universalem ecclessiam, oportet illam exstingwi; igitur relinquitur alius iudex quam talis ecclesia sic infecta; licet enim debeat iudicare de heresi, quia debet examinare conscienciam propriam purgando se primo a symoniaca pravitate, cum propter reatum proprium est inepta, ut sit iudex publicus, quia tunc primo se ipsam combureret. Ideo dicit Christus Matth. 7: 'Ypocrita,

But the judgment of the Courts can be purchased and has no weight.

2. et *pro* vel *ceteri; ib.* temp. com. *abdfgi.* 4. a iuvam. *al. m. h.* 7. maculantur *ce.* 8. ut patet *bcf,* ut *corr. in* nec *e.* 14. sym. em. *ceteri in d, corr. ut h.* 14, 15. sibi — culp. *om. bg, al. m. d.* 15. placente *cefh.* 21. si autem non sint indigni *ceteri; ib.* omnia *ef, corr. in,* omnino *abcg.* 23. preponens *eh,* preposiciones *ceteri.* 24. et *om. def.* 25. ex ipso *agi.* 28. sophisticum *ceteri.* 30. Sed quod *i.* 31. ipsam ext. *ceteri.* 35. tamen *cfh, corr. in* cum *d,* cum *ceteri.*

37. Matth. 7, 5.

eice primum trabem de oculo tuo et tunc festucam de oculo fratris tui poteris eicere'; et sunt ad hoc leges multe tam dei quam hominum. Sicut enim yctericus non iudicat de coloribus, sic iudex infectus macula non reputabit illam peccatum in aliis, sed fovebit; sicut ergo symoniacus peccat in universalem ecclesiam et quodlibet eius membrum, quod tenetur peccatum illud cognoscere, sic persona universalis ecclesie cum sit superior atque habilior, debet de peccato tali cognoscere. Nec requiritur ad hoc magna industria, sed quecunque persona, eciam hereticus vel meretrix, peccato cognito debet ipsum viis et modis extinguere, ut patet V. Decretalium, titulo De Symonia, capitulo *Tanta;* aliter enim posset heresis symoniaca inficere totam ecclesiam antequam leprosus symoniacus ipsam de castris expelleret. Ideo ordinatum est in lege domini, quod sacerdotes qui debent iudicare de lepra sint mundi, ut patet quo ad inplicitum Levitici 13 et ad aliud Levitici 21, quia aliter subverterent iudicium, ut duo senes presbiteri iudicarunt Zuzanam Daniel. 14. Ideo docetur a Jetro cognato Moysi Exod. 18, 'quod provideret de omni plebe viros potentes et timentes deum, in quibus sit veritas et qui oderint avariciam', qui iudicent populum. Item ad iudicandum sic de heresi vel symonia requiritur precipua noticia scripturarum, sed huius legis sunt predicti satrape ignari communiter, ergo et indispositi ad sic iudicandum de heresi, nec excusat ignoranciam eorum quod possunt ad hoc vocare clericos vel sciollos legis dei, quia sic potest imperator et apcius ad convincendum eciam papam super heretica pravitate.

A judge infectad with Simony is incompetent.

Requiritur ergo iudicem habere inflexibilem potenciam corespondenter ad deum patrem, requiritur secundo quod habeat conscienciam timendo deum corespondenter ad

Qualities needed in a judge.

1. primo *aefh.* 2. fratris tui *ag*, tui *om. ceteri;* potes *h.* 7. quod et tenetur *h.* 8, 9. sic — cognoscere *al. m. h; ib.* atque humilior *ce.* 10. hoc magis *bcefg.* 10, 11. et hereticus *bcef.* 12. tit. *om. gi, al. m. a.* 13. cap. Tota *ab.* 14. communem eccl. *bf, corr. in* totam *d,* commun. totam *gi,* tot. *al. m. add. a.* 17. quo ad inplementum *bcef.* 18, 19. iudicium *al m. h.* 19. canes *pro* sen. *h; ib.* veteres *corr. in* presb. *h; ib.* iudicaverunt *ceteri.* 20. a retro *cf.* 21. decem plebe *bcf,* de omni *in ras. a.* 22. dominum in *ceteri; ib.* oderint *bh,* oderunt *ceteri.* 23. ad sic iud. *df;* sic *al. m. h.* 24. not. precip *abdfgi.* 25. predicte *ch.* 26. et *ceh, al. m. d, om. ceteri; ib.* ut dispos. *ce,* indisposite *h.* 27. ignoranciam *dh,* ignorancia *ceteri; ib.* quod *ceh,* quia *ceteri.* 28. et sciol. *ceteri.* 31. inflexib. *corr. ex* inflexivam *a.*

12. Corp. iur. can. Decr. De Simonia V, 3, 7 (Friedberg, II, 750). 17. Levit. 13 et 21. 20. Exod. 18, 21. Dan. 14, 29 seqq.

Christi humanitatem, et requiritur tercio quod habeat noticiam corespondenter ad veritatis divinitatem, quarto eciam requiritur quod habeat puram benivolenciam corespondenter ad spiritum sanctum et tunc odiet avariciam. Iste autem quatuor condiciones requirũntur in iudice, ut patet ex fide scripture. Aliter enim satrapa posset iudicare hominem ad mortem propter veritatem scripture sibi displicentem quam fidelis deffendit katholice. Sic enim summi sacerdotes iudicarunt Christum ad mortem turpissimam tamquam summum hereticum, quia blasfemum; Joh. 19 scribitur: Nos legem habemus et secundum legem debet mori; patet autem illa lex Levit. 24, ubi dominus precipit blasfemum duci et a toto populo lapidari; sed certum est, quod isti iudices scelerati in omnibus istis quatuor disposicionibus defecerunt et ideo erraverunt undique in iudicio. Sed nota quod populus debuit lapidare blasfemum, quia totus populus debuit legem dei cognoscere et eius iniuriam tamquam persona dignior vindicare, sicut sepe dixi in communi sermone de heresi, fides scripture, cum sit regula specularis ad iudicandum de heresi ac omnis homo debet ipsam cognoscere, ymmo omnes homines et singuli debent confundere hereticos destruendo heresim et specialiter heresim symoniacam patulam quantum possunt. Sicud ergo summi sacerdotes in se ipsis summi heretici dampnarunt dominum nostrum Jesum Christum pro heresi, sic summi sacerdotes antichristi possunt dampnare et extinguere membra Christi, propter hoc quod catholice reprobant peccata eorum et predicant quomodo ecclesia potest licite per exoneracionem temporalium adiuvari. Tota itaque ecclesia debet insurgere contra senes, qui videbantur regere populum, quando avaricia debriati symoniace parant sibi pseudopastores contra salutem populi et fidem ewangelii.

The people ought to know the law of God and maintain it.

2. veritatis dimensionem *bf*, *corr. in* veritatem deitatis *a;* veritatem deitatis *i; in h. al. m. ad* divinit. *add.:* beatitudinem. 3. et requiritur quarto *ceteri.* 4. odient *bf.* 5. ad iudicem *a.* 6. enim scriptura *i.* 9. iudicarunt *ch*, iudicaverunt *ceteri.* 9, 10. ad mort. turp. *al. m. h.* 10. quia *bcf*, *in ras. h*, *corr. in* et *ad.* 11—13. Nos — duci *om. e.* 13. precipit *h. corr. ex* precepit *d*, precepit *ceteri; ib.* toto *al. m. h.* 14. celerati *h; ib.* omnibus *al. m. h.* 15 disposicionibus *cdefh*, disp. alias condicionicus *b*, condicionibus *ceteri.* 16. und. in iud. *eh*, in iud. und. *ceteri.* 17. blasf. lap. *df.* 19. vindicari *abf; ib.* sepe *h. al. m. d, om ceteri.* 21. homo *om. bf, al. m. ad.* 25. dampnaverunt *ceteri.* 26. nostrum *om h; ib.* dom. Jes. Chr. *al. m. h*, Chr. *om. ce.* 27. antichr. *om. bf, al. m. d.* 32. debriati *h, corr. ex* delirati *d*, delirati *ceteri.* 13. salutem ewang. *gi.*

11. Joh. 19, 7. 12. Levit. 24, 16.

If it is urged that we should obey those in authority, we answer that is only while they follow the way of God.

Ista quidem est causa maxima contra quam fidelis debet militare. Et si obicitur quod credendum est illis ut senioribus, qui debent potestative populum regere, non autem privatis pusillis et ydyotis qui ignorabant dignitates et leges ecclesie, omnes fideles debent credere quod ipsi deserentes viam domini faciliter possunt deficere, debent insuper cuncti fideles cognoscere quod tunc symoniace peccent tamquam summi heretici, quando propter lucrum temporale exaltant ydiotas quos populus sentit esse ignaros vel desides in regimine animarum et tercio hoc experto debet totus populus contra tales insurgere, ymmo ipsimet debent insurgere in se ipsos. Et notum est ecclesie et regnis multis, quod papa propter talem prefeccionem colligit primos fructus; notum est eis iterum quod pastores quos preficiunt patenter de-

God has given us free will and judgment to care for our own souls.

ficiunt a cura spiritualis regiminis. Ideo cum ad hoc deus dedit cuilibet libertatem arbitrii ut curet de anima sua, cuius discrecionem satrape obscurare non possunt, licet in parte quo ad sacramenta excecant populum, ideo secundum libertatem arbitrii post patentem noticiam totus populus debet insurgere contra tales. Lex, inquam, papalis dicit 1 questione 3, *Si quis prebendas*, ut sepe repecii, quod nemo debet promovere vel promoveri ad beneficium vel dignitatem ecclesiasticam propter munus datum ante vel post, sed statim hoc faciens tamquam symoniacus nota infamie percellatur; percellere autem secundum gramaticos est occidere abiurare, elidere, percutere vel amputare. Quia ut dicit papa in eadem lege, non obstante quacunque consuetudine beneficium debet dari libere absque diminucione, collector autem primorum fructuum moriente incumbente primo anno et quotquot sic sequentibus plus quam diminuit fructum beneficii quia regulariter capit totum, vel igitur oportet hereticare legem istam papalem et fidem scripture vel concorditer in-

When incumbents die rapidly the Pope's collector may take the whole benefice.

2. militari *cgi.* 3. deb. *ceh*, habent *ceteri; ib.* potestative *aceh, corr. ex* potestatem *d*, potestatem *ceteri.* 4. *pro* ydyotis: ideo talis *ce; ib.* ignorabat *ce.* 5. eccl. leg. *gi.* 11. omnis pop. *a*, tot. om. *e; ib.* tales *al. m. h.* 12. ymmo — insurg. *al. m. a; ib.* se ipsis *cde.* 14 talem *al. m. ad, om. bcef.* 15, 16. pat. def. *om. a.* 16, 17. deus ded. ad hoc *g*, deus ad hoc ded. *ceteri.* 17, 18. anima eius *bef.* 23, 24. vel promoveri *cancellat. ce;* promoveri vel promovere *h.* 29. sym. vel infamis *af, corr. in* nota inf. *g.* 27. percell. quidem *ceteri.* 28. abiurare *h*, obviare *ceteri.* 34. causavit tot. *i.*

22. Corp. iur. can. Decr. c. 15; C. 1, qu. 3 (Friedberg I, 418). 29. Ibid. in fine. 32. Incumbens i. e. possessor.

surgere contra tales. Nec sunt audiendi qui blasfeme balbuciunt, quod pape est quascunque leges ecclesie interpretari, ad votum suspendere vel penitus abrogare ut videtur ex lege 25, questione 1, *His itaque,* quia ut sepe dixi, nichil magis cassaret leges ecclesie nec blasphemaret papam quam quod plenus antichristus dispenset et prescribat contra deum, ymmo nichil magis generaret contra papam, ut dicit Lincolniensis, diffidencie et inobediencie cathaclismum; quis enim tunc crederet vel obediret legi vel bullis papalibus? Sed contradiceret iuxta sentenciam istam, quod tenetur obedire voluntati pape in tribus predictis ficticiis. Sed non claret ex bullis pape quantumcunque recenter venerint de pape in terpretacione suspensione vel abrogacione; ideo ne offendatur in ultimam voluntatem pape, nemo debet secundum leges suas vel bullas aliqualiter operari. Ideo benedictus sit papa, cuius voluntas est inflexibiliter iusta, cunctis notissima in eterna.

If the Pope may abrogate any law we can never be sure that we have his last.

Cum autem secundum ecclesiam totam talis infamis hereticus debet percelli a populo, et regum ac dominorum secularium est quo ad istud regere, ducere et animare populum, patet quod illi debent ex officio sui regiminis animosius postponendo timorem vel lucrum privatum in istis precedere; et unum audenter assero: quod antequam ista scaturigo emanans a fonte symoniace heresis a regnis fuerit obturata, nunquam quiescent aput deum et homines inturbata, quia ipsi principes et totus populus eorum aliter percussi sunt heresi symoniaca ex consensu, et eo gravius quo officio suo pertinencius atque facilius possent tales inficientes leprosos a dominiis suis ex-

There will be no peace in the world till simony is put down.

2. pape *al. m. d, om f; ib.* eccl. *al. m. d, om. f;* leg. eccl. qu. *a,* leg. qu. eccl. *ceteri.* 6. *pro* papam: quamquam *c,* quam *om. omnes praeter eh; ib.* plene *dgi, corr. ex* plenus *a.* 8. diffidenda *bf.* 10. contra *om. bh;* deberet (*pro* diceret) *abf, corr. in* deberet *i; ib.* iuxta *om. omnes praeter dh (in d* diceret *et* iuxta *in ras.).* 11. debetur obed. *a.* 13. venerint *ceh,* renuit *a,* renuerit *bf,* venerunt *ceteri.* 14. offendatur *dh,* offendant *ee,* offendantur *ceteri.* 16. aliqualiter *h,* alter *df,* aliter *ceteri; ib.* papa Christus *agi, in marg. al. m. add.,* scilicet Christus *d.* 18. cunctis not. *om. abdfg; ib.* et eterna *ceteri.* 18. tot. eccl. *ceteri; ib.* informis *bf,* amis *in ras. a.* 19. aut dom. *a.* 20. hoc reg. *c,* illud *ceteri; ib.* et ducere *df.* 21. ibi deb. *abcfg; ib.* regiminis *corr. ex* regis *a,* sui regis *ce,* legis *i, prima manu corr. in* regiminis *g.* 22. postponere *i; ib.* et lucr. *ceteri.* 23. et utrum *i; ib.* evidenter assero *abcf.* 24. scaturi sacio *bef, corr. in* scaturigo *ag; ib.* her. sym. *ceteri.* 25. ap. deum et *h, corr. ex* a deo et hom. *h.* 26. *ad* inturbata *al. m. adnotatum:* scil. regna *d.* 28. off. suo quo *dgi.*

4. Corp. iur. can. Decr. c. 1, 3—9, etc., C. 25, q. 1 (Friedberg I, 1007 seqq.). 8. De Lincolniensi cf. pag. 88, not. ad v. 20. Locum hic citatum in celebri Roberti episcopi epistola ad papam invenies (Matthaei Paris. Chronica Majora, ed. Luard in Rerum Britan. Script., Vol. V, 389, 390).

pellere: non enim opporteret ad hoc parare populum grandem thesaurum et inmensum vel arma bellica sumptuosa, sed prohibere vel non licenciare ut hii vel collectores perfidi exeant vel incollant terram suam. Quomodo, inquam, respondebunt principes in die iudicii pro ecclesia, quam a Christo tuendam et specialiter a symoniaca heresi acceperunt, quando tam faciliter et tam sibi utiliter possent venenum illud excludere, et tamen pro amore dyaboli, quia pro fastu seculi, consumunt omnino contrarie se et suos! Quicunque autem consiliarii principum vel contrariantur vel tacent principibus istam sentenciam necandi et percellendi, sunt tamquam summi heretici, quia calidissimi symoniaci et subtilissimi discipuli antichristi. Speculator autem secundum doctrinam dei Ezech. 34. debet animam suam et populi a periculo liberare, considerans quod non modicum sed grandiosum est periculum vel persecucio inde surgens. Sic itaque ecclesia sed specialiter speculatores debent tales symoniacos hereticos alte et continue declamare, vertendo periculosa bella mundialia in illud officium; et quicunque confessor, consultor vel depravator dicat contrarium, caveat sibi de sentencia domini ex testimonio Ezechielis animam perditam de manu tacentis prepositi requirentis. Nec videtur quod tales blasfemi symoniaci sunt hodie ut in lege veteri generaliter occidendi, sed secundum doctrinam apostoli ad Titum 3. a quolibet Christicola fugiendi. Ad Titum 3. precipitur: 'Hereticum hominem post primam et secundam correpcionem devita,' nam ubi Christus precipit Matth. 18 peccantem in nos terna vice corripere, apostolus suus precipit eodem spiritu hereticum, qui

Papal collectors should not be tolerated.

Simoniacs are not to be put to death.

1. parere *hi.* 3. non *al. m. a, om. g.* 3, 4. ut vel sui coll. *aceg*, sui *corr. in* servi *d*, vel ut s. coll. *i*, ut servi vel coll. *bf.* 7. accipiunt *a*, *in textu* accep., *al. m.* suscep. *b; ib.* quin tam *bi.* 8. utiliter *abcdef*, inutiliter *ceteri.* 10. Qui tantum *bf.* 12. vacandi *a*, notandi *cde*, vocandi *f.* 14. speculatur *ce.* 14, 15. itaque secund. *ceteri.* 15. Ezech. 34 capitulo debet *h* 16. non *om. ce.* 17. gaudiosum *bcefh, corr. in* grandiosum *a; ib.* et pers. *ceteri.* 18. inde insurgens *f;* consurgens *gi; ib.* itaque eciam *bi.* 19. symoniace *bef.* 19, 20. alte et continue *cdefh*, alte et confuse *b*, alte et conf. vel congrue *gi*, alte et continue *corr. in* conf. vel congrue *a.* 20. declarare *ab*, declam. *corr. in* declinare *g; ib.* mundialia *h;* iniurdiana *bf*, in undancia *c*, inundacius *e*, invadencia *ceteri.* 22. vel dampnator *bf. corr. in* deprav. *d; ib.* dicit *bdgi; ib.* de sciencia *bcef.* 24. tacentis *ceh. corr. ex* tenentis *d.* 25. ut *al. m. h.* 27. ad Tit. 3 *primum h, al. m. d, om. ceteri; ib.* sunt fug. *df.* 28. precepit *a* 29. correccionem *h.* 29, 30. precepit *abf.* 31. precip. *al. m. ad, om. ef; ib.* eod spir. precip. *ceteri.*

15. Ezech. 34, 10—13. 23. Ibid. v. 11. 27. Tit. 3, 10. 30. Matth. 18, 15.

non est nisi symoniacus post correpcionem secundam super eius pertinacia devitare, nam antequam devenit ad tantam pertinaciam correptus fuit generaliter a fidelibus multis viis, et legum exposiciones, generales predicaciones et publice excommunicaciones tam crebro preconisaverant predictos hereticos, quod non restat fidelibus nisi se ipsos aufugere. Quod autem plures de populo libencius conversantur et mercantur cum talibus ceca stulticia et heresis symoniaca sunt in causa, quia II, Joh. scribitur: 'Si quis venit ad vos et hanc doctrinam non affert, nolite recipere eum in domum nec ave ei dixeritis, qui enim dicit illi ave communicat operibus eius malignis'. Doctrina autem ista est preeminencia pastoralis officii in Christo et membris ipsum sequentibus, quam symoniaci non solum non afferunt sed confundunt; quibus si prohibetur salutacio, quomodo non magis bonorum pauperum ministracio?

It is said that the prevalence of Simony makes it impossible to flee the company of simoniacs. It is enough to cut ourselves off from all fellowship with Simony.

Sed obicitur: Cum maior pars ecclesie et specialiter capitales infecti sunt hac heresi, non restat quo fidelis aufugeret cum petens deserta peccato percuteretur ex consensu vecordi et negacione iuvaminis. Hic dicitur quod cuilibet Christiano precipitur fuga sequendi symoniacos in moribus et fragilibus precipitur fuga communicandi cum eis presencia corporali propter timorem coinquinacionis lepre, sed difficultas videtur claustralibus, cum quasi omnis eorum multitudo hac lepra inficitur et aufugientes incarcerabuntur tamquam appostote. Sed constat, cum deus sit immensus, Symon autem misera creatura stricta iudicata ad penam, a deo nemo potest aufugere sed ubique a Symone; nam quilibet potest ex libertate arbitrii preparare habitaculum deo suo, quo Symon non audet ingredi, ut devoti claustrales dolent de symoniacis et caventes a consensu eorum maculas reprimunt quantum possunt, sed temptantur mille meandris

2. devit *om. i.* 2, 3. nam — pertin. *om. c.* 4. ut legum *ceteri.* 5, 6. preconisaverant *bdefh (in h al. m.)*, preconisaverunt *ceteri.* 7. se *om. ceteri; ib.* fugere *gi.* 11. offert *cef; ib.* eum recip. *ceteri; ib.* dom. vestrum *abcdefgi.* 12. illi dicit *adf.* 13. eius oper. *ceteri; ib.* est *om. bcef. al. m. d.* 15. asserunt *bfg*, auferunt, au *in ras. h.* 17. bon. operum *b;* instruccio *bcef*, operum institucio *corr. in* paup. ministr. *a.* 19. capitulares *ceh; ib* sunt inf. *ceteri; ib.* quomodo *h.* 19, 20. fideles aufugerent *i.* 20. peccato *om. bcdef, al. m a; ib.* percuteretur *dh*, percutitur *ceteri.* 25. claustrantibus *f, corr. in* claustralibus *e.* 26. quasi *abcefh*, communiter *ceteri.* 27. incarcerabuntur *dh*, incarcerantur *ceteri.* 28. miserrima *bcdef.* 31. quo *h, corr. ex* quomodo *d.* quomodo *ceteri.* 34. temptatur *h*, temperantur *ce; ib.* mendaicis *abfg, corr. in* meandris *d.*

10. II Joh. 10, 11.

Monks and friars should not aid in getting appropriations although commanded by their superiors to do so.

dyaboli, ut nunc suggeritur, quod virtute sacre obediencie oportet laborare attente commiscendo mendacia pro appropriandis ecclesiis vel multiplicandis redditibus. Sed istud commentum patris mendacii statim convincitur per hoc quod precise tantum obediendum est privato preposito quantum deus precipit conformiter legi sue. Ideo Act. 5 dicunt apostoli: 'Obedire oportet magis deo quam hominibus', ideo videtur michi quod missi ad tale officium detegerent mendacia Symonis et procurarent in eis dissolucionem symoniace pravitatis; sic enim consumpsit Thomas Didimus thezaurum regis Gundofori. Nunc autem blaspheme dicitur quod papa approprians vel confirmando aut tacendo approbans eo ipso licenciat quod prius fuit illicitum. Nam idem foret hoc dicere et ipsum extollere super deum, quia in die qua unusquisque onus suum portabit, non excusabit blasphemus error pape vel prelati alterius quo se et suos subditos ducit in foveam, sed fides scripture, que est ultima voluntas testamenti dei, et duplicitas temerarii consensus condempnabunt tales in die novissimo. Nam false sugerunt et dyabolice incitant papam vel prelatum ad facinus et post tamquam precones huius sceleris gravando ipsum in opere multiplici persecuntur; et quod ista non sit excusacio sed accusacio novit iudex a cuius sentencia non licet cuiquam appellare.

A monk cannot divest himself of responsibility in this matter.

Tercia excusacio in peccatis est, quod claustralis non intromittit se de talibus, sed cum contentatur de paucis ac parce vite necessariis, devote contemplans et orans coram domino excusatur deus enim vult quod servi sui de suo reditu sustententur; sed caveat sic loquens de taciturnitate qua mutescit non reprehendendo prepositos,

1. virtute *ceh,* virtutes *ceteri.* 2. pro *om. ce.* 3. mortificandis *bcefh, corr. in* multiplic. *ad,* multiplic. *gi.* 4. istud *bh,* illud *ceteri; ib.* coniunctum *bcefh.* 5. per se tant. *cef; ib.* private *ce,* privato *om. bf, al. m. ad.* 6. precepit *ag.* 8. quasi hom. *bc; ib.* quod nulli *bcefg,* multi *corr. in* missi *i.* 9. oracionis *beefg, corr. in* Symonis *ad.* 11. Didimus *abcef,* Adumus *d,* Didius *ceteri.* 13. vel tacendo *acegi.* 14. quid prius *ce,* quin *bf; ib.* licitum *bdf.* 15. in die illo quo *af,* in illo die quo *b,* in die quo *e.* 17. suos *om. abcefi.* 19. voluntas *dh,* volicio *ceteri; ib.* et *om. bcef, al. m. a.* 20. condempnabit *ab.* 21. et symoniace et dyabolice *df; ib.* suscitant *abcef, corr. in* incitant *d; ib.* populum *corr. in* papam *i; ib.* prelatos *abcfgi.* 22. tam *om. adfi.* 25. cuicunque *ce.* 27. intromittat *ceteri; ib.* se *om. ceh.* 28. parcis *ceteri.* 30. sustentur *bf.*

7. Act. 5, 9. 11. Cf. Loserth, Johannis Wycl. Sermones, III, 498, et Carl Horstmann, The early South English Legendary (Early English Text Society) p. 381 seqq., quos locos mihi F. D. Matthew vir doctissimus benigne subministravit. De Didymo s. Thomae apostoli cognomine cf. Joh. 11, 16, ib. 20, 24 et 21, 2. 15. Galat. 6, 5.

et defectu iuvaminis quo spiritualiter iuvaret suos prepositos, ista enim sunt duo subtilia genera consensus dampnabilis. Si enim unicuique mandavit deus de proximo, servus cui deus dedit talentum noticie, debet correpcione iuvare suum prepositum, cum ungendo eum oleo peccatoris et comedendo cum eo de ydolaticis dicet cum Ysaia finaliter: 'Ve michi quia tacui,' nam fidelis in quo amor dei preponderat non tacebit sic vecorditer in causa dei contra Symonem. Nec pensat deus quid aut quantum de bonis suis servus suus consumpserit, sed qualiter et quibus mediis sibi quesierit, quia aliter predones, latrones et scelesti forent de omni abusu bonorum domini excusati.

He is bound to reprove his superiors if he knows them to be doing wrong.

Quarto fingitur, quod claustrales quibus appropriantur ecclesie, virtute appropriacionis exonerantur a cura commissa vicariis nec competit eis officium predicacionis sed devote oracionis. In ista excusacione Luciferi miror primo quomodo maledicta appropriacio infundabilis in lege dei, in qua omnis veritas continetur, habet tantam virtutem exhonerandi mercenarios a cura suarum ovium, cum beneficium et correspondens officium inseparabiliter se secuntur. Item cum nichil debet esse inordinatum in domo domini et officium orandi sit minime sumptuosum, fugiens mundanos strepitus videtur valde inordinate appropriare tam paucis tot ecclesias pro illo nudo officio; sic enim in primitiva ecclesia et hodie facilius et fructuosius completur illud officium. Item cum officium predicandi sit summum in preposito, ut hic supponitur, si virtute appropriacionis illud potest subtrahi a subiectis, a pari totum officium pastorale; quomodo ergo respondebunt rectores illi pro animabus, quarum decimis vescuntur, in die iudicii, si ipsas non rexerint viam virtutum et legem domini predicando? Symoniaca quidem foret comutacio emere oraciones pro tanto temporali stipendio; illas enim oraciones haberet parrochianus fructuosius excuciendo a se prudenter istud servile comercium. Item, ut suppono ex fide sepe dicta, non licet angelo vel homini ad

Monks may not leave appropriated churches to their vicars.

Benefice and duty are inseparably connected.

3. Sic *bef*. 4. dedit deus *bc; ib*. correptive *abcf, corr. in* correpcione *d*. 5. cum *cefh*, non *ceteri*. 6. ut dicit *a*, dicet *cefh*, dicit *ceteri*, cum *om. a*, tamen *bgi*. 9. symoniam *gi*. 11. illa ques. *ceteri; ib*. et latr. *gi*. 12. de *om. abfgi, al. m. d*. 14. quo exon. *afgi*, quo *al. m. d*. 17. modo *al m. a, om. bf*. 23. michi *pro* valde *a*. 23, 24. inordinatum *adghi*. 27. proposito *abdei*. 30. rectores *eh, om. ceteri; ib*. ibi *pro* illi *h* 31. pascuntur *gi, corr. ex* vescuntur *a;* vesc. *corr ex* utuntur *df*. 36, 37. ex f. supp. *gi*.

6. Is. 6, 5.

deterioracionem, sed solum ad ecclesie edificacionem procedere. Cum ergo ante appropriacionem erant simul in appropriata ecclesia tam rector quam eius vicarius curantes et pascentes subditos suos, ut suppono, ergo non licet homini sine recompensa curam rectoris subtrahere. Oracio enim specialiter symoniaci non potest equivalere officio predicandi, quia tunc deus frustra ordinaret predicacionem.

It is false that a Christian community does not need preaching.

Nec valet ficticia qua dicitur quod nunc predicacio superfluit, cum communitas satis novit fidem Christi, quia indubie illi qui ista ignare balbuciunt sunt perfidis deteriores et fideles ewangelisantes conclusiones katholicas sequentes ex principiis fidei persequentes in tantum quod non credunt in deum; ideo nunquam fuit maior necessitas fidem katholicam predicandi. Item iuxta istam stulticiam episcopus et papa forent maxime exonerati a cura quia per eos cura tocius populi rectoribus et vicariis partibiliter est commissa et sic episcopus et papa iuxta interpretacionem sui nominis privarent se ipsos episcopio et papatu. Sed deliramenta sunt ista: habent enim papa et episcopus et rector et vicarius curam de ovibus et superior plus curatur, ut deus, cui secundum philosophos est cura de omnibus, licet equivoce est maxime curatus. Unde quod deus curat homines innuit apostolus 1 Cor. 9 querens: 'Numquid deo cura est de bobus?' Unde ille summus pastor dignatus est habere homines in ewangelisando populo adiutores; 1 Cor. 3 scribit apostolus: 'Dei enim adiutores summus,' et ideo sicut deus eligit magis ydoneos adiutores, sic debet episcopus sciendo quod fert onus curati sui et omnium ovium suarum; ideo debet examinare diligenter curatum cui curam comiserat sciendo quod propter maiorem defectum sui vicarii fert gravius et propter diligenciorem curam sui officii tollerabilius suportabit. Unde nota infidelitatis

The higher the rank, the more the responsibility.

1. eccl. dei edif. *gi.* 4. suos *om. h.* 6. sub. *om. ce; ib.* enim et sp. *ceteri.* 6, 7. symoniaca *abdgi.* 8. frustra deus *ce.* 10. noverit *ab.* 11. quod ind. *agi.* 13. ex princ. fid. perseq. *post* necessitas *i.* 15. fld. kath. combinandi *corr. in* predic. *a,* breviandi *f,* brev. *corr. in* predic. *d.* 18. partibiliter *corr. ex* particulariter *a; ib.* episcopatu *ae, corr. in* episcopio *g.* 20. super ista *i.* 21. et *ante* episc. *om. abcei; ib.* et *ante* rect. *om. h.* 22. curat *abfgi.* 23, 24. max. e. *i.* 25. Cor. *al. m. h; ib.* deo *al. m. h; ib.* est cura *ceteri.* 26. pastor *eh,* pastorum *ceteri.* 27, 28. 1 Cor. — adiut. *al. m. ad.* 28. enim *om. d, al. m. h.* 29. eligit *ch,* elegit *ceteri.* 30. fert *h, corr. ex* foret *d,* foret *ceteri.* 34. nota *al. m. ad, om. bf; ib.* infidelitas *bf.*

25. I Cor. 9, 9. 27. I Cor. 3, 9.

gravissima foret episcopum parvipendere vicarii sui officium; cum enim secundum apostolum I Cor. 14, omnia debent fieri ad edificacionem nec habet potestatem faciendi quidquam nisi in edificationem ut patet II Cor. 13, plane sequitur quod appropriando ecclesias, nisi ut sit cura fructuosior, est stulto stulcior, quia appropriando aliter propter modicum lucrum comodi temporalis onerat se symoniace ad respondendum deo pro tanto defectu deterioracionis sue ecclesie, quod homo non faceret pro toto mundo. Ideo episcopi necessitati sunt deffendere, quod omnes quibus appropriant ecclesias vel appropriabant in sua diocesi, fructuosius adiuvant ipsos gerentes officiosius curam ovium quam rectores ante ea curaverant, cum aliter forent ipsi pseudopastores et procuratores antichristi, de tanto portantes gravius onus ecclesie. Conceditur tamen, quod licitum et meritorium est in casu parrochie ultra sufficienciam necessariam sui privati curati facere elemosinas de decimis, oblacionibus aut aliis elemosinis gratis datis communitati vel persone ad quam gratis deliberat faciendum, sed hoc alienum est a limitacione sui episcopi, ne forte conswetudo trahatur in legem execrabilem et elemosina voluntaria in servilem exaccionem.

The superfluity of a parish may be given to another community but only by the free will of the givers.

Sed ultimo videtur istam sentenciam ad tantum turbare ecclesiam, quod defficerent paparum consecraciones, episcoporum benedicciones et missarum celebraciones, eo quod omnia talia ministeria in symoniacis sunt infecta. Hic dicitur concedendo conclusionem nam ritus tales indisponentes ecclesiam necessario habent finem et cum per se notum sit ex principiis fidei quod symonia sit unum de peccatis gravissimis, et iterum notum sit ex eisdem principiis quod quitquid

It is said our doctrine would make all church rites invalid.

1. vic. adiutoris sui *abcdef,* adiutoris *corr. in* vicarii *h.* 2. I *om. abcef.* 4 edificando *ce.* 5. II *om. bcef.* 6. ubi sit *ceteri.* 7. aliter papa *ab.* 8. temp. comm. *ceteri.* 10. pro t. m. non f. *ceteri.* 12. appropriabant *h, corr. ex.* appropriant *d,* appropriant *ceteri.* 13. adiuvantes *ceteri; ib.* eos ger. *a.* 14. pastores *abgi; ib.* antea *abc; ib.* curaverunt *ceteri; ib.* ipsi *al. m. h.* 17. est *om. h.* 17, 18. sufficiencia necessaria *h.* 18. sui prelati priv. cur. *abgi,* prel. vel priv. *gi,* vel *al. m. a.* 18, 19. fac. ecclesias *a.* 19. aut *eh,* ac *ceteri; ib.* aliis elemosinis *h, corr. ex* ecclesias *d,* ecclesias *b,* elem. *om. ceteri.* 21. deliberant *adg,* delibant *bcef,* deliberavit *i; ib.* facienda *abcef,* faciendam *d,* faciendi *gi.* 22. quod *pro* episc. *bcf; ib.* mere *pro* nc *bf.* 23. ecclesia *pro* elem. *af,* elem. *om. b, al. m. d,* vol. elem. *cegi.* 25. ad Titum *c,* ad Tim. *e.* 29. consequenciam *ceteri.* 30. eciam dispon. *bf, corr. in* in *a.* 31. per se om. *bcdef, al. m. a,* not. p. s. sit *agi.* 32, 33. symonia — quod *om. c.*

2. I Cor. 14, 26. 5. II Cor. 13, 10.

homo in mortali peccato fecerit, peccat mortaliter, manifeste convincitur, quod omnis talis actus symoniaci est ad dampnum ecclesie; et sic minus nocivum foret ecclesie quod omnino in talibus prepositis cessarent ministeria supradicta, nam incipiendo ab infimo patet quod misse et oraciones symoniaci fiunt in peccatum suum et dampnum ecclesie. Unde in 5. decretalium de symonia sic scribitur cap. *Tanta:* 'Tanta est labes huius criminis quod eciam servi aput dominos et quilibet criminosi admittuntur ad accusacionem.' Et sequitur iterum: 'Omnis peccator potest cantare missam preter symoniacum, quem quilibet ut ab ordine male susceptos removeatur accusare potest, eciam meretrix;' cum ergo hec lex sit infallibiliter vera, videtur quod pauci audirent missam presbiteri, quia nimis multi sunt symoniaci opere vel consensu. Nec oportet expectare quo ad forum consciencie probacionem ecclesie quo ad tales symoniacos, quia, ut docet glossa, talis symoniacus in principio suspenditur ipso facto; cum enim meretrix vel alius infidelis potest docere iudicem et sic ecclesiam de vicio symonie, tantum est periculum communicare cum symoniacis eciam ante humanum iudicium, sicud si continue fuerit simulatum, cum veritas periculi non sit minus nota ecclesie. Unde nimis illudunt populo qui dicunt, quod tantum valet missa presbiteri quantumlibet scelerati sicut missa presbiteri quantumcunque katholici et devoti, ut ostenditur in tractatu De Eukaristia et memoratur decretum sub auctoritate Jeronimi 1 questione 1 cap. *Sacerdotes:* 'Sacerdotes,' inquit, 'qui eukaristie serviunt et sanguinem domini

It would be better for the church if all Simoniacs ceased to minister.

A simoniac is ipso facto suspended from his office.

1. mortali *om. bf, al. m. ad,* pecc. mort. *cegi.* 3. si min. *bf.* 4. cassarent *ab.* 7. in *om. ceteri.* 8. cap. Tanta *om. ceteri; ib.* lab. est *ah,* e. l. *ceteri.* 9. quod infimi vel eciam *g,* inf. v. *al. m. a.* 11. item *gh.* 12. quem *h,* quam *ce,* quo *f,* quoniam *ceteri; ib.* quilib. vir *dgi,* vir *in ras a.* 12, 13. suscepto *eh,* suspecto *bcf, corr. in* susceptus *a,* susceptus *dgi.* 13 eciam pot. *bdfi.* 14. cum itaque *ceteri; ib.* sit lex *di.* 15. audient *bcef, corr. in* audirent *a,* audirent *dghi; ib.* multi nimis *ceteri.* 16. Nullus oport. *ceteri.* 22. eciam *om. bdefh.* 24. non min. sit *a,* min. *om. g,* s. n. m. *ceteri; ib.* alludunt *bef; ib.* pape *dhi,* populo *ceteri.* 25, 26. quantumlibet — presbiteri *om. bcf, al. m. d,* quantumcunque *ceteri.* 27. et *al. m. a. om. bcef; ib.* ostendi *ceteri,* 29. cap. Sacerd. *om. ceteri.*

7. Corp. iur. can. Decr. De Symonia V, 3, 7 (Friedberg II, 750). 18. Cf. glossam ordinariam ad capitulum nota praecedenti landatum in editione Corp. iur. can. a. 1506. II, f. 264, in fine col. III, sub littera i: Simoniacus in ipso sui initio suspensus est. 27. De Eucharistia Cap. IV, p. 112. 29. Corp. iur. can. Decr. c. 90, C. I, q. 1 (Friedberg I, 391).

populo eius dividunt, impie agunt in legem Christi, putantes eukaristiam inprecantis facere verba, non vitam, et necessariam esse tantum solempnem oracionem, non sacerdotum merita de quibus dicitur: Sacerdos in quacunque fuerit macula deprehensus non accedat offerre oblaciones domino;' si, inquam, in lege veteri que fuit plena cerimonialibus iudiciis, ecclesia non adesset in suo ministerio cui nota quomodolibet foret culpa, ut patet Levit. 21, quanto magis in sacramento et ministerio nove legis; populus enim non interesset tornamentis sive spectaculis, ergo multo minus officio in quo fit Christo tantum dedecus et in quo sacerdos occidit se ipsum et deteriorat populum. Negacio itaque comunicacionis cum talibus ipsos erubescentes peccata sua converteret, participacionem criminis contractam ex consensu a plebe averteret, et utrobique ydolatriam evitaret.

A Simoniac bishop fails to perform any of his duties.

Quo ad episcoporum ministerium patet, quod regnante in eis symonia quidquid fecerint est blasphemum. Ideo non tunc benedicunt nec consecrant nec ordinant vel confirmant, sed temptantes faciunt omnino oppositum, ut patet ex testimoniis infinitis ut quo ad ordines patet 1 questione 1. cap. *Si quis episcopus:* 'Qui, inquit, ordinatus est (suple: a talibus) nichil ex hac ordinacione vel promocione proficiat;' et sequitur decretum VIII sinodi cap. *Qui:* 'Qui per pecuniam quemquam consecraverit vel ab alio consecratus est, alienus est a sacerdocio;' et tercio testatur idem decretum Gregorii sic scribentis cap. *Quicunque*: 'Quicunque sacros ordines vendunt aut emunt sacerdotes esse non possunt. Unde scriptum est: "Anathema danti et anathema accipienti, hec est symoniaca heresis." Quomodo ergo si anathema sunt et sancti non sunt sanctificare alios possunt?

1. populis *ceteri.* 2 in potestatis *abf, corr. in* impetrantis *d.* 3. oracionum *h.* 5. mac. fu. *h.* 9. et ministerio *al. m. h.* 10, 11. populus — spectaculis *al. m. in marg. a.* 11. in *al. m. h.* 13. negando *i.* 13, 14. coniuncciones *i.* 17. evitaret *gh, corr. ex* eructaret *a*, turbaret *corr. ex* eructaret *d*, eructaret *bcef*, ruitaret *i.* 20. non ord. *abdfg, corr. in* nec *i.* 21. temperantes *ce.* 22. ut p. *al. m. h.* 23. cap. *om. ceteri; ib.* quis inq. *dgi.* 24. suple a tal. *om. ceteri; ib.* nichil *in ras h*, nec *ceteri.* 25. 8 *corr. ex* 81 *i*, 81 *g.* 26. cap. qui *om. ceteri; ib.* quam *dghi.* 26, 27. consecraverit *ah*, consecravit *ceteri.* 27. aliquo *h.* 29. cap. Quicunque *om. ceteri; ib.* cunque (ante sacr.) *om. bcef, al. m. a.* 30. vel cm. *ceteri.* 32. que est *abcefg.* 33. quomodo sanctif. *ab; ib.* alios *al. m. h.*

4. Cf. Levit 21, 21. 9. Ibid. 23. Corp. iur. can. Decr. c. 8, C. I, q. 1 (Friedberg I, 359). 26. Ibid. c. 9. 29. Ibid. c. 12 (Friedberg I, 361).

Quomodo corpus Christi tradere vel accipere possunt? Qui maledictus est benedicere quomodo potest.' Ideo ut dixi superius ex testimonio Jeronimi et Gregorii, benediccio talium est nociva. Sicut enim blasfemant, quod Christus benedicendo panem ipsum destruxit penitus ad non esse, sic benedicunt populum ad sensum ironicum, hoc est ad sensum uxoris Job (secundo eius capitulo), populo maledicunt. Et idem est iudicium de quocunque papa symoniaco quo ad omnem consecracionem episcopi vel omne opus quod tunc fecerit. Si ergo secundum leges satraparum deficiente prelato superiori, cum sit essencialis ordo inter ipsum et prelatum vel sacerdotem subditum, ministrantem necesse est cassare officium subditi, pauci vel nulli forent presbiteri, quia illi forent per prelatos symoniacos procreati et sic perirent in ecclesia sacerdotalia sacramenta. Nec valet fingere, quod deus mutat legem operacionis sue ad instanciam, ad deffectum vel rogatum talis sacerdocii maledicti, quia gratis dat graciam, non pro temporali lucro, sed subtrahit dicente Ambrosio ut recitatur in decretis ubi supra: 'Cum ordinaretur episcopus, quod dedit aurum fuit, quod perdidit anima fuit; cum alium ordinat, quod accepit aurum fuit, quod dedit lepra fuit.' Ideo cogimur negare ordinem illum essencialem inter prelatos nostros et suos subditos, ymo deficientibus illis ut cifris Christus ordinat quemcunque, quomodocunque et quandocunque voluerit. Et hinc sciens errores illos futuros in ecclesia, ordinavit apostolos suos episcopos tempore et forma nobis incognitis, ut discamus vel sic non nimis apreciari solemnitates quas adinvenimus sacramentis nec nimis pompare de dignitatibus secundum quas ex institucione humana excedimus fratres nostros. Sequatur ergo sacerdos Christum in moribus et secure de ipso potest confidere,

They bless ironically, for their blessing is a curse.

Christ ordains whom and how he will.

1. Quomodo — possunt *om. g. Ante* quom. corpus *haec sunt omissa, quae in decreto leguntur:* Et cum in Christi corpore non sunt. 2. Jeremie *gi.* 6. populum *h, corr. ex* populo *d,* populo *ceteri,* pop. penitus *abgi.* 7, 8. sec. c. cap. *h, al. m. d, om. ceteri.* 14. cessare *a,* cessari *c.* 14, 15. forent — illi *om. fg.* 16. *pro* sacerdot.: sacramentalia *fg,* sacerd. *al. m. ad.* 18 ad iusticiam *h.* 20. non *om. acef, al. m. d; ib.* abstrahit *ceteri.* 22. perdiderit *h.* 24. ill. ord. *ceteri.* 26. cifris *befgh. corr. in* cifis *ad,* cifis *i,* cifri c. 27. quandocunque *h, om. f,* quantumcunque *corr. ex* qualiterc. *a, al. m. d,* quantumcunque *ceteri.* 28. istos errores *ceteri.* 30. apreciare *agi.* 34. pot. d. ip. *ceteri.*

7. Job. 2, 19. 23. Corp. iur. can. Decr. c. 14, C. I, q. 1. (Friedberg I, 359.)

quod auctoritate sui deficiente quocunque prelato cesareo sit a Christo legittime ordinatus et in quocunque sacramento vel opere quod rite fecerit approbatus. Ex istis colligitur tiriaca, sine qua ut probabiliter creditur, ecclesia de symoniaca heresi non accipit medicinam, scilicet quod dominus papa, episcopi, omnes religiosi vel pure clerici titulo possessionis perpetue dotati debent renuncciare illis in manus brachii secularis ecclesie, quod si pertinaciter noluerint per seculares dominos debent cogi. Probatur prima pars per illud Luc. 14: 'Omnis ex vobis qui non renuncciat omnibus que possidet non potest meus esse discipulus.' Et secunda pars patet per illud Matth. 5: 'Quod si sal evanuerit ad nichilum valet ultra, nisi ut mittatur foras et conculcetur ab hominibus.' Rex itaque celestis expectat ista meritoria medicamina regum terre, ad quod ipse moveat, qui super totam ecclesiam semper regnat. Amen.

If simoniacs will not resign their endowments the secular power should make them do so.

4. ut *al. m. a, om. bcdef; ib.* credi potest *e.* 5. quod ecclesia *ce, ib,* her. sym. *ceteri.* 8 illas *ceteri.* 11. renunciaverit *dgi.* 16. medicamenta *a.* 16, 17. terram totam *corr. in* eccl. tot. *a.* 17. regnat semper *f,* amen *al. m. a, om. bci. In fine tractatus hi adduntur versus:*

Explicit hoc verum conculcans Symonis clerum,
Cunctos cum papis mordens monachosque prelatos *i,*

cunctis, modis monachisque prelatis *a,* papis monachis ceterisque prelatis *b,* monachisque prelatis *fg. In b haec quoque legitur adnotatio:* Conclusio: pura religio Christiana est quacunque privata perfeccior. *In f:* Amen dicant. Finitus est iste tractatus *a.* 1401.

10. Luc. 14, 33. 13. Matth. 5, 13.

ARGUMENTUM.

Sentencia tractatus de symonia capitulariter sic habetur.

Capitulum primum declarando tres modos heresis ostendit quid est symonia et ex descripcione concludit triplex corelarium: primum quod sancti attente detegunt ut debent equivocaciones signorum ad declarandum cambium symoniacum evitandum, secundum quod pauci vel nulli sunt prelati vel clerici qui non heresi symoniaca sunt percussi; et tercium quod tria movent reges et seculares dominos diligenter cavere ne ista heresi sint fedati. In qua materia narrat remedium contra symoniacos et necessitatem iuvandi ecclesiam contra illud peccatum gravissimum ad cuius animacionem arguit triplici argumento.

Capitulum secundum obicit primo contra descripcionem datam de symonia per hoc quod iuriste et famosi theologi ponunt aliam, declarando utrobique conformitatem sentencie et declarat facilitatem et rectitudinem loyce sic mutate, declarans quomodo contingit regnum celorum iuste emere, quomodo contingit hominem vendere quod non habet, et quomodo omnis symoniacus est hereticus et econtra. Secundo obicitur quod dicta descripcio convenit cuilibet temporalium mercatori, et respondet declarando quod obiectus tollitur per hoc quod symonia est inordinata volicio; et concedit quod quilibet iniuste emens aut vendens, ymo omnis procurator aut iudex iniuste sentencians est symoniacus, cum hec labes sequitur ad mortale. Obicitur tercio per hoc quod videtur necessarium omnem sacerdotem esse symoniacum, et tollit per hoc quod accipientes ordinate

1. capcialiter *corr. in* capit. *e*, capcialiter *bcf.* 8. sint *be.* 9. tam *pro* tria *cf; ib.* moverunt *b*, moverent *ei*, moveret *f.* 11. defedati *ag.* 17. et decl. *ei.* 20. iuste *corr. ex* iniuste *a*, iniuste *e; ib.* contingit *al. m*, in textu convenit *a*, conv. *al. m.* 9^{t} in *e* textu conting. *g*, 9^{t} *e.*

temporale stipendium gracia salutis populi quem edificant, commutant elemosinas ordinate, et ex istis elicit primam conclusionem quod quicunque clericus intencione alia vel mensura benedictionem recipit a populo quam gracia spiritualiter edificandi populum symoniacus est censendus; secundam quod quicunque episcopus vel curatus vel presbiter preponderanter accipit talem statum propter honorem vel comodum temporale est symoniacus et hereticus permanens in illa heresi quam diu inhabilis ad suum officium servaverit illum statum; et terciam conclusionem adicit, quod religiosus assumens dignitatem vel ordinem abbatis, prioris, dignitatis vel gradus religionis possessionate vel exproprietarie plus propter dignitatem aut prosperitatem mundanam quam propter devocionem in paupere vita, ut mundum deserat, est anathema, quia symoniacus et hereticus in ingressu. Ex quibus concludit corelarie quam intoxicata et excomunicata sunt regna per prelatos hereticos, quia symoniacos, et omnia genera sacerdotum, et quomodo eorum benediccio et ministracio nocet regnis. Secundo principaliter obicit contra descripcionem propriam per hoc quod non licet precari pro quantumcunque habili ad beneficium ecclesiasticum promovendum et per consequens patronatus superflueret, et solvit movens dubium si beneficiatus symoniace tenetur beneficium dimittere quod declarat; dubitat secundo si licet prelaciam appetere et dissolvit; dubitat tercio, si licet adire curiam Romanam pro beneficio ecclesiastico acquirendo et dissolvit. Tercio obicit principaliter per hoc quod omnis symonia videtur esse opus extrinsecum, non voluntas; confirmat tripliciter ac dissolvit.

Capitulum tercium arguit quod papa non potest comittere symoniam et respondet declarans quod sic faciliter vel extollitur super deum et declarat tres vias quibus potest comittere symoniam papa; propter suam propriam excellenciam dignitatem illam monarchicam affectando; secundo tradiciones legi dei contrarias multi-

4. ben. r. a p. *al. m. a, om. ef.* 6. vel *ante* cur. *om. efi.* 7. prep. *al. m. corr. ex* ad papandum *a*, ad papandum *in scriptum e*, preponendus *bce*, *corr. in* preponderanter *g; ib.* autem acc. *bce*, accepit *bfg.* 13. expropr. *corr. in* ex prepositura *a*, exproprietatur *c*, exproprietacio *f*, exprepositura *i.* 15. mundus *ei.* 17. conclud. *corr. ex* concedit *a*, concedit *efi.* 18, 19. et sym. *g*, *corr. in* quia *a.* 20. nocet *efi.* 22. non *om. bc; ib.* peccari *c*, *corr. in* precari *e.* 24. superfluerent *fi.* 28. et *om. cegi.* 31. et diss. *cf.* 33. quod — 4a. 3. vias *om. f;* respondens declarat *i.* 36. propt. s. exc. et propriam dign. *ag; ib.* monarchiam *a.*

plicando ubi declarat legem Bonifacii VIII de presidendo ecclesiasticos esse hereticam; tercio inordinate volendo preficere minus ydoneos propter lucrum et solvit argumentum. Quarto suadetur pape licere racione capitalis dominii quod bona ecclesie quomodocunque voluerit dispertiri. Ulterius probat tripliciter quod ad reges, non ad papam pertinet conferre regnorum beneficia et obicit per legem minantem sacrilegium patrono dissolventi ius ad collaciam ecclesie et respondet.

Capitulum quartum probat tripliciter quod alienum est ab officio papali constituere prepositos patrie aliene et swadet multipliciter quod ad reges pertinet specialiter heresim istam destruere et recitat glossam dicentem quod sufficit elleccio intrinseco quod sit bonus et arguit similiter contra illud; post obicit tripliciter et dissolvit; primo quod cessaret omnis civilis eleccio et distinguens de elleccione concedit hoc fore expediens; secundo in hoc, quod in omni elleccione sufficit quod persona electa sit habilis et respondet dicendo quod repugnat multos per semel et simul esse habiles ad idem officium singulare; tercio per hoc quod in lege veteri eligebatur summus sacerdos in ducem populi, ergo per idem apparet in nova lege papam eligi et respondet concedendo quod Christus est ille quem sufficit habere in papam cuius presencia ecclesia manet in eternum.

Capitulum quintum declarat si pape liceat reservare sibi primos fructus personarum quas promovet, arguit que octupliciter ad negativam excluditque tres ficciones quibus affirmativum mendacium coloratur.

Capitulum sextum declarat quomodo episcopus potest esse symoniacus in ingressu, in progressu et egressu. In ingressu tripliciter secundum tres modos vivendi. In progressu tripliciter: primo in ociando quo ad episcopale officium; secundo in expendendo inprovide bona pauperum et tercio in extorquendo peccuniam propter spirituale ministerium; et obicit quintupliciter contra excusacionem symoniacam, qua dicitur quod spirituale non venditur, sed labor spirituali annexus et respondet

2 eccles. *om. i; ib.* volens *i.* 3. proficere *eg; ib.* dissolvit *ci.* 4. populo *c, ead. manu corr. in* pape *e.* 5. domini *cf.* 14. suff. ell. intr. *ex* suff. in eleccione prelati intrinseca *corrupt. esse pag. 45 v. 32 docet.* 25, maneat *bei.* 26. dubitat *ce.* 27. sibi *om. efi.* 28. arguiturque *efi; ib.* ad *om. ce.* 32. *pro* vivendi in *abef litterare complures quae sensu carent. ponuntur, in c lacuna relicta est; in a alia manus vivendi scripsit.*

declarando symonias multiplices prelatorum et detegendo versucias excusacionum ostendit ex dictis sanctorum quomodo oneratur ecclesia et quomodo per dona tam ante quam post exhibita committitur symonia.

Capitulum septimum declarat quomodo religiosi possessionati sunt utrinque symoniaci in ingressu et quomodo in empcione corrodiorum comittitur symonia; et post eius declaracionem multiplicem tollit tres excusaciones sophisticas, excuciendo venenum appropriacionis ecclesiarum parrochialium convincit ipsum tripliciter et obicit tripliciter ac dissolvit, declarans primo quomodo ius patronatus sophisticum est secundum quatuor gradus et narrat triplex remedium, secundo declarat quomodo sine tali ecclesiarum appropriacione starent collegia, et tercio quomodo pro omnibus bonis mundi non sic foverent discolos.

Capitulum octavum declarat primo extensionem heresis tam opere quam consensu. Secundo declarat tripliciter quomodo papa cum aliis prepositis inficitur symonia, tercio ostenditur quomodo et a quibus lepra symoniaca decernitur et quomodo symoniacus post correpcionem triplicem fugietur et obiciendo specialiter de claustralibus recitat quatuor ficticias et dissolvit, obiciendo quintupliciter contra quartam que simulat iusticiam appropriacionum ecclesiarum claustralibus, et ultimo obicitur per hoc quod iuxta hanc viam deficerent ministeria prelatorum, et dissolvit concedendo ipsis existentibus symoniacis ut declarat per leges et raciones multiplices.

6. utrumque *bc*, utriusque *f*, utrique *i*.

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Addenda.

P. 22, l. 14. The work to which Wyclif alludes is obviously *De Officio Pastorali*, which was published by Lechler, 1863. There are several passages which may serve to elucidate others in *De Simonia*: especially Pars 2^{a}, c. XI, p. 45 in which Wyclif accuses himself of not being faultless as concerns temporal possessions, and points out the means of atoning for such shortcomings. Compare *De Simonia*, p. 21: "Omnes enim sumus in inpetracione, in accepcione, et in execucione beneficii ecclesiastici maculati . . . ." But Wyclif, in the present passage, seems to allude to his commentary on the eleclion of St. Mathias, Pars 2^{a}, c. IX, pp. 42, 43. I also find a short commentary on St. Paul's sketch of the virtue a Bishop ought to have, Pars 1^{a}, c. IV, p. 11

P. 42, l. 26. There is a mistake here. The note belongs to. P. 42, l. 26, and concerns the tractate *De Potestate Pape*. It is not yet published; but fortunately it has been copied, and M. Patera, the chief, librarian of the Prague University, has been so kind as to send his copy for perusal. Wyclif, in this place, evidently alludes to Ch. IV. of *De Potestate Pape*, towards the end, especially from 180 a^{2}.

P. 44, l. 30. *De Rege*. There are several pages in *De Officio* Regis, bearing directly on this matter. See pp. 176 *et seq*. There, however, nothing is to be found respecting the "cavendo tanquam venenum, etc."

P. 59, l. 7. In *De Potestate Pape*, c. X, we find a lengthy account how the Pope, in answer to complaints that nothing could be had in Rome without money, pointed out that the cause was poverty, and asked for a fixed subsidy upon ecclesiastical revennes to be granted him. C. X. ff. 216 b 2 (towards the latter half), 217 a^{1}. Wyclif calls this a 'scandaloza peticio', and proceeds to justify his epithet at considerable length. His authority for the fact is the 'cronica que intitulatur flores historiarum'.

P. 68, l. 36. *De Veritate Sacre Scripture*. This work of Wyclif has not yet been published, and the] Wyclif Society considers it unnecessary to wait until its publication.

P. 84, l. 21. A *corrody*, according to an interesting and valuable communication by Mr. Matthew, "was a life annuity, granted by a convent against an immediate payment. Thus, about 1327, Lord William of Lillebourn made over to the Convent of Winchester a considerable property about 10 miles from the city, in return for which the Convent paid him yearly £ 10 in money; robes, &c. to value of £ 2. 3 . 0 and certain payment in kind (hay, oats, &c.) worth about 40 shillings. In 1334, there is a note in the Convent accounts of the last payment, and 'nothing more, because he is dead'.

In 1330, one Richard Becke pays £ 5o, in return for a corrody of one conventual loaf and one pot of conventual beer daily.

These corrodies may have had their rise in providing for the case of a person who wished to give his property to the convent, but could not leave himself without support. In later times, it became a regular (but not always thrifty) way of raising ready money. When the monasteries were suppressed, one of the enquiries that the commissioners had to make was what corrodies each had to pay."

Errata.

Pag.	1	apparat.	ad vers.	11, 12	pro	distincc. *g*	lege	*cg.*
„	2	„	„ „	27	„	*ceteri*	„	*h.*
„	3	„	„ „	9	„	„	„	„
„	9	not.	„ „	31	„	C. 1. 7. 1.	„	C. 1. q. 1.
„	13	apparat.	„ „	20	„	*bc*	„	*bce.*
„	14	„	„ „	33	„	*abi*	„	*abfi.*
„	14	„	„ „	33	„	*cef*	„	*ce.*
„	17	„	„ „	17	„	sordibus	„	sord. *ceteri.*
„	18	„	„ „	1	„	34. mendicum	„	1. mendicum.
„	28	„	„ „	23	„	*ceteri*	„	*h.*
„	28	„	„ „	23	„	qui *om.*	„	qui *i.*
„	40	in calce adde notam: De Papa af. Addenda.						
„	42	not. ad vers. 26 Tractatus De Papa delendum est.						
„	51	not.			pro	25	lege	29.
„	62	„	ad vers.	13	„	c. 7, C. 1	„	c. 7, C. 1.
„	68	„	„ „	7	„	Anglici	„	Angliae.
„	73	apparat.	„ „	9	„	*al. m. dhi*	„	*al. m. dh.*
„	73	not.	„ „	9	„	ib.	„	10.
„	73	„	„ „	18	„	70	„	71.
„	81	apparat.	„ „	13	„	rei *ei*, regum *e*	„	rei *ei*. regum *c.*
„	81	„	„ „	24	lege *d*, querit *af.*			
„	85	„	„ „	1	adde Eboracensem *om. b.*			
„	92	„	„ „	7	pro spptio lege spatio.			
„	100	„	„ „	20	adde a Jetro *om b*			
„	103	„	„ „	16	pro *agi* in marg. lege *agi*, *a* in marg.			
„	104	„	„ „	3, 4	pro *aceg* lege *ace.*			
„	104	„	„ „	3, 4	„ *corr. in* servi lege *corr. ex* servi.			
„	104	„	„ „	7	„ suscept. *b* lege *d.*			
„	110	„	„ „	25, 26	pro *bcf* lege *bcef.*			
„	112	„	„ „	14, 15	„ *om. fg* lege *om. g.*			

☞ **The Society's book for 1896 is now ready; and the works for 1897 and 1898 are in the binders' hands, and can be sent next month to such Members as will pay their Subscriptions for those years. The Subscription for 1896 became due on Jan. 1, and should be paid at once to the Hon. Sec., J. W. STANDERWICK, Esq., GENERAL POST OFFICE, LONDON, E.C. Cheques to be crost, 'London and County Bank.'**

The Wyclif Society.

Tenth Report of the Executive Committee, for 1896.
(*April,* 1896.)

The continued help that the Society gets from its printer, Mr. Carl Georg Fromme of Vienna, combined with the devotion of its editors, M. Dziewicki and Prof. Loserth, aided by Mr. Matthew, alone enables it to produce its books in time, and in advance.

The volume for 1896, comprising the third and fourth parts of Wyclif's *Opus Evangelicum,* edited by Prof. Loserth, is bound and ready for issue.

The volumes for 1897 and 1898, *De Logica* II, edited by M. H. Dziewicki, and *De Simonia,* edited by Prof. Dr. Herzberg-Fränkel and M. H. Dziewicki, are in the binders' hands, and can be issued next month to any Members who will pay the two years' subscription in advance.

The Society is clear of debt to the end of 1895; but it owes Mr. Fromme £350 for its three volumes of 1896–8, and it has about enough in hand to pay its binders for covering these volumes. The Committee therefore appeal to Members for three years' advance subscriptions at once, so that a fresh start may be made, free from all liability, at the future years' work, 1899–1912.

For 1899 and 1900–1, *De Logica* III, edited by M. H. Dziewicki, and Prof. Loserth's edition of *De Civili Dominio* II, III,—whose sheets Dr. Reginald L. Poole and Mr. F. D. Matthew see, and Dr. R. L. Poole side-notes,—have been some time at press, and may be finished this year. For 1902 or 1903, M. Dziewicki has kindly undertaken to edit the

Miscellaneous Tracts, Nos. 54–61 in Shirley's Catalogue, which were copied by Dr. Buddensieg, and were in the hands of Dr. Schnabel of Dresden, as editor, till his death three years ago. Also, for 1902 or 1903, the *De Potestate*, which has for many years been in the hands of M. Patera of Prag, has just been sent to Professor J. Loserth, so that it will probably go to press next year. For 1904, the Rev. Dr. Buddensieg hopes to produce his edition of *De Veritate*; and then all Wyclif's great *Summa Theologiae* will be in type, except the *De Mandatis Dei* and *De Statu Innocentiae*, which Mr. F. D. Matthew will take up as soon as his help to other editors leaves him time for his own texts.

The other works of Wyclif remaining unprinted and not likely to be included in the second volume of *Miscellanies* § now in charge of the Rev. J. P. Whitney, are, by Shirley's Nos.:

6. De Materia et Forma.*
7. De Materia (?).†
8. De Ente, Bk. I*, Bk. II.*
9. Replicatio de Universalibus.*
10. De Universalibus.*
11. De Anima.*
13. De Fide Catholica.*
24. De Prophetia.*
26. De Imaginibus.†
28. Peccatum Mortale et Veniale.†
32. Errare in Materia Fidei, &c.†
(45. Commentary on N. Test. ? not Wyclif's.†)
64. De Paupertate Christi.†
(69. ? part of De Potestate Papae.)
70. De Clavibus Ecclesiae.*

Members have, then, to keep "pegging away" till the work they have set themselves is done, and England's long-due debt to Wyclif's memory paid. For that, money is wanted. Who will give it?

In order to increase the Society's funds, the Executive Committee have resolved that any Member may give the right to any Library or person to buy the first fourteen years of the Society's publications, 1882–95, at half-price —19 volumes at 8 guineas and a half—provided that with this sum are paid the full Subscriptions for 1896, 1897, and 1898.

England, Europe, and the rest of the Christian world owe so much to the memory of Wyclif, that support ought to be forthcoming for the printing of his Works, the records of his thoughts and life. Two-thirds of the Society's task will be done by 1900. It is for our Members to see that the other third is finished speedily. Editors are ready and willing. Money alone is wanting.

* Copied. † Not copied.

§ Shirley's Nos. 43, 44, 47, 48, 68, 77, 92, 94, 95.

RECEIPTS AND PAYMENTS OF THE WYCLIF SOCIETY,

FOR THE TWELVE MONTHS ENDED 31ST DECEMBER, 1895.

Receipts.	£	s.	d.	Payments.	£	s.	d.
Balance, 31st December, 1894	9	11	4	To Bankers' Commissions	0	3	2
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* In respect of 1885 1
,, 1886 1
,, 1887 1
,, 1888 1
,, 1889 1
,, 1891 1
,, 1892 1
,, 1893 2
,, 1894 25
,, 1895 139
,, 1896 1
Total §174

12th March, 1896.

Examined and found correct, { CHAS. P. MERRIAM.
WOODLAND ERLEBACH.

§ For these particulars the Auditors are not responsible.

The Society's Publications for 1882—1898 (£1 1*s. each year*) *are:—*

1882.* 1. Wyclif's *Latin Polemical Works*, vol. 1, edited by Dr. R. Buddensieg.
1883.* 2. ,, ,, ,, vol. 2, ,, ,,
1884. 3. Wyclif's *De Civili Dominio*, Lib. I, edited by Reginald Lane Poole, M.A., Ph.D.
,, 4. Wyclif's *De Composicione Hominis*, edited by Dr. Rudolf Beer.
1885. 5. Wyclif's *De Ecclesia*, edited by Prof. J. Loserth, Ph.D.
,, 6. Wyclif's *Dialogus, sive Speculum Ecclesia Militantis*, edited by A.W. Pollard, M.A.
1886. 7. Wyclif's *De Benedicta Incarnacione*, edited by the Rev. E. Harris, D.D.
,, 8. Wyclif's *Sermones*, Part I, edited by Prof. Loserth, Ph.D.
1887. 9. Wyclif's *Sermones*, Part II, edited by Prof. Loserth, Ph.D.
,, 10. Wyclif's *De Officio Regis*, edited by A. W. Pollard, M.A., and C. Sayle, B.A.
1888. 11. Wyclif's *Sermones*, Part III, edited by Prof. Loserth, Ph.D.
,, 12. Wyclif's *De Apostasia*, edited by M. H. Dziewicki.
1889. 13. Wyclif's *Sermones*, Part IV and last, edited by Prof. Loserth, Ph.D.
1890. 14. Wyclif's *De Dominio Divino*, edited by Reginald L. Poole, M.A., Ph.D.
1891. 15. Wyclif's *Quaestiones* and *De Ente predicamentali*, edited by Dr. R. Beer.
1892. 16. Wyclif's *De Eucharistia*, edited by Prof. J. Loserth, Ph.D.
1893. 17. Wyclif's *De Blasphemia*, edited by M. H. Dziewicki.
1894. 18. Wyclif's *De Logica*, vol. 1, edited by M. H. Dziewicki.
1895. 19. Wyclif's *Opus Evangelicum*, vols. 1, 2, ed. by Prof. J. Loserth, Ph.D.
1896. 20. Wyclif's *Opus Evangelicum*, vols. 3, 4, ed. by Prof. J. Loserth, Ph.D.
1897. 21. Wyclif's *De Logica*, vol. 2, edited by M. H. Dziewicki.
1898. 22. Wyclif's *De Simonia*, edited by Prof. Herzberg-Fränkel, Ph.D., and M. H. Dziewicki.

The Society's Future Publications will probably be:—

1899. Wyclif's *De Civili Dominio*, Lib. II, edited by Prof. J. Loserth, Ph.D.
1900. Wyclif's *De Logica*, vol. 3, edited by M. H. Dziewicki. (*At press.*)
1901. Wyclif's *De Civili Dominio*, Lib. III, edited by Prof. J. Loserth, Ph.D.
1902. Wyclif's *Miscellanies* I, edited by M. H. Dziewicki (Nos. 54–61 in Shirley's Catalogue). (*At press.*)
1903. Wyclif's *De Potestate Papae*, edited by Prof. J. Loserth, Ph.D.
Wyclif's *De Ente*, edited by M. H. Dziewicki.
Wyclif's *De Mandatis Divinis*, edited by F. D. Matthew.
Wyclif's *De Statu Innocentiae*, edited by F. D. Matthew.
Wyclif's *De Veritate S. Scripturae*, edited by the Rev. Dr. R. Buddensieg.
Wyclif's *Miscellanies* II, edited by the Rev. J. P. Whitney, M.A. (Nos. 43, 44, 47, 48, 68, 77, 92, 94, 95, in Shirley's Catalogue).
Wyclif's *De Actibus Animae*, edited by M. H. Dziewicki.
Wyclif's *Miscellaneous Philosophical Works*, edited by M. H. Dziewicki.

And the rest of Wyclif's Latin Works.

* The very heavy outlay for copying in these years (£295) made the issue of more volumes in them impossible.

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